House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC, June 2, 2015,

I hereby appoint the Honorable RANDY HULTGREN to act as Speaker pro tempore on this day.

JOHN A. BOEHNER, Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 6, 2015, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

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

TRADE PROMOTION AUTHORITY SHIFTS TO HOUSE

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

Mr. BLUMENAUER. Mr. Speaker, in our fast-changing world, the global economy looms large. America has long been the leader in promoting freer and fairer trade, promoting the economy at home while strengthening ties overseas. The current issue that is before us now deals with a trade promotion authority and the Trans-Pacific Partnership, an agreement with 12 countries, representing almost 40 percent of the global economy.

After the recent bipartisan vote in the Senate on the trade promotion authority and related package, attention now shifts to the House where we are likely to be voting on this in the next couple of weeks. Many confuse support for the trade promotion authority with the TPP, the Trans-Pacific Partnership. They are two distinct items.

The Trans-Pacific Partnership is an ongoing series of negotiations which has yet to be concluded. Indeed, one of the reasons we are looking at trade promotion authority now, establishing the rules of the game and how Congress will evaluate and process it, is to make sure that we get into the final stages.

Trade promotion authority historically, something we have done repeatedly in the past, provides for Congress to vote on an up-or-down basis on a trade agreement once it is finalized. This is what happens in negotiations routinely in the United States, an up-or-down vote. I find it somewhat ironic that some of my friends in organized labor think that it somehow should be negotiated in Congress, that it ought to be subject to amendment in Congress. Yet there is no labor union that I am aware of that has its contracts voted piecemeal. Members aren’t allowed to amend. It is up or down, and that is what is necessary to be able to reach a conclusion with these negotiations.

Some are demanding that Members of Congress oppose an agreement that is not yet completed. Well, I, for one, am not going to support or oppose an agreement until I can see what is in it and until the agreement is finalized. Until it is finished, I am going to continue to work to make it as strong as possible.

I have been working on provisions to strengthen enforcement, establishing a trust fund to make sure that provisions in trade agreements have the resources to make sure that they are, in fact, enforced, such as having provisions known as the Green 301 that has greater strength to be able to enforce environmental provisions. This makes a difference for my community.

Oregon’s small- and medium-sized businesses, family farmers, winemakers, bike manufacturers say that enhanced trade authority is critical to creating more jobs at home and increased value for customers. That is something that gets lost in this debate because, as a result of our policies promoting freer trade between countries, Americans have seen their standard of living increase. Americans today are paying less for clothing, less for food, less for electronics as a result of the benefits of these agreements. Some estimates say it is about $8,000 per family.

Well, we will see what the current trade agreement looks like when it is completed. As I mentioned, the trade promotion authority is necessary to reach the final stages.

Thanks to the efforts of my friend and my constituent Senator RON WYDEN, the ranking member of the Senate Finance Committee, this trade promotion authority that we will be dealing with makes it mandatory that everybody in the country will be able to look at the final agreement for 60 days before the President even signs it, and then it will be public for another 90 days—5 months, essentially—before Congress will vote up or down on whether or not it is worthy of our support.

Well, I will do what I have done in trade agreements in the past. I will consider each element with the same principles: Is this package good for the people I represent in Oregon? Does it align with our values? Will it be a net positive for areas that I care about, like labor and the environment? More fundamentally, are we going to be better off with an agreement or without none?
PUTTING A STOP TO MISMANAGEMENT AT THE VA

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from North Carolina (Ms. FOXX) for 5 minutes.

Ms. FOXX. Mr. Speaker, in 2014, Congress passed legislation with broad bipartisan support to improve access to education programs for veterans and to further improve accountability at the Department of Veterans Affairs. The Veterans’ Access to Care through Choice, Accountability, and Transparency Act created a 3-year program to allow veterans to seek care from private providers if they live too far from a VA facility or cannot otherwise get an appointment within 14 days.

It also gave the VA Secretary the authority to fire senior executives for poor performance and required a top-to-bottom study of the entire Department to be completed within 1 year of enactment.

When government failure is exposed and legislation aimed at restoring accountability is enacted, it makes sense that action would be swift and immediate, people would be fired, and wrongs would begin to be made right. Unfortunately, that has not been the case at the Department of Veterans Affairs.

While there are as many as 1,000 employees who have been disciplined or fired for misbehavior, the VA has punished a total of eight for involvement in the scandal. We continue to hear about unacceptable patient wait times, unanswered benefit inquiries, patient safety concerns, medical malpractice, flagrant mismanagement, infighting, corruption, and years of construction delays that total millions of dollars.

Frustration, anger, outrage, Mr. Speaker, these are just a few of the words that people who have served and served so much to our country.

The VA has failed to properly care for those who have fought for and defended our Nation. America’s veterans deserve better than the inexcusable misconduct and neglect that we have seen over the last few years at the VA. It is critically important that we provide high-quality, timely care for those who have sacrificed so much to our country.

Republicans are committed to that principle and to the veterans of this country.

URBAN FLOODING AWARENESS ACT

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

Mr. QUIGLEY. Mr. Speaker, as Members of Congress continue to debate whether or not climate change is real, one thing is clear: We must be prepared. To dispel climate doubts that I serve with, I will remind them that there are over 200 peer-reviewed scientific studies that conclude that climate change is real and that man contributes to it, and there are zero peer-reviewed scientific studies that say the opposite.

Climate change often brings images to mind of melting icecaps and rising sea levels, but the effects of climate change are being felt every day by people around the country. Climate change is causing even more destructive storms which, when combined with our aging infrastructure, is resulting in cities around the country being pummeled by urban flooding.

A little more than 2 years ago, residents in my district endured their second 100-year flood in a mere 3 years. A 100-year storm means that there is a 1 percent chance that a storm of that magnitude will happen every year, but folks in Chicago are experiencing these storms with greater intensity and frequency.

The morning after the rains bombarded Chicago in 2013, I visited numerous community members and their homes. The damage I saw was devastating: tens of thousands of homes and businesses flooded; tons of carpeting, furniture, and memories are ruined; businesses shuttered; and entrepreneurs’ dreams crushed, along with millions of dollars in damages.

Throughout the region, we saw the closure of schools, libraries, and even hospitals were forced to relocate patients. That kind of devastation cannot be ignored.

Every day, we hear only more stories about further misdeeds. President Obama must commit to reforming the VA with more than just lip service. America’s veterans deserve a meaningful, decisive plan to right the many wrongs.

As a country, we are uniquely blessed. We live in a nation where each of us has the possibility of nearly limitless fulfillment and prosperity in the world’s finest democracy. That unparalleled freedom and opportunity has a deep responsibility to the legacy of the profound sacrifices that those who have fought for and defended our Nation.

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Throughout the region, we saw the closure of schools, libraries, and even hospitals were forced to relocate patients. That kind of devastation cannot be ignored. Our constituents cannot be ignored.

In Chicago, over the past century, we have seen countless storms that have caused pipes to back up into houses and dump upwards of 1.5 inches of rain in a single day. What is more, rains of more than 2.5 inches are expected to increase another 50 percent in the next 20 years.

The National Climate Assessment, released by the Obama administration last year, predicted that the frequency and intensity of the heaviest downpours will more than double over the next 100 years. That means even more trouble for our Nation’s already deteriorating infrastructure and the cities around the country that rely on that infrastructure to keep them safe.

Storm drains are outdated; sewers are inadequate, and families are at risk.

Whether it is because of flooded pipes or the lack of permeable surfaces in our cities, our constituents are paying the prices. Thousands of households in Arizona are affected every year by urban flooding, yielding catastrophic economic, environmental, and social damage in some of our country’s largest cities. Basements with water damage decrease property values by an estimated 10 to 25 percent.

But the impacts don’t end there. Chronically damp houses can cause respiratory problems and higher insurance costs. Additionally, almost two out of five small businesses cannot open after experiencing a flooding disaster. Urban flooding erodes streams and riverbeds and degrades the quality of our drinking water sources and the health of our aquatic ecosystems.

It is time we come up with a national response to this growing problem. That is why I am proud to introduce the Urban Flooding Awareness Act. This legislation will finally create a definition of urban flooding to be used when designing flood maps and will require a first-of-its-kind study to analyze the costs associated with urban flooding and develop solutions. It would also help us better protect downstream communities from the flooding impacts of development in upstream areas.

Existing regulatory and policy mechanisms are not adequate for this task. It is time we develop new strategies. By identifying the most effective and economical remedies to urban flooding, we are better preparing our communities to defend themselves against the devastation caused by increasingly intense weather.

And investing in real solutions to this problem now is the only way to avoid higher costs down the road. We can learn from our successes and investigate innovative new strategies for funding crucial new programs that eliminate flood risk and damage. Our cities need the best tools available if they are going to survive this era of supersized storms.
THE RAINS OF MAY

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

Mr. POE of Texas. Mr. Speaker, the rains came down and the floods came up. And although Texas did not receive Noah’s 40 days and 40 nights of rain, the recent 10 days of rain were of Biblical proportions.

The whole State received the incessant rain. And about the time we thought we had it all over on Saturday morning, it all happened again Saturday night, flooding many of the same homes and communities throughout the State.

In Houston, six, so far, have died. Statewide, there are now 24 deaths. Eleven are still missing in Hays County when the Blanco River rose so fast at night it trapped people in over 200 resort homes that were on the river—homes that eventually washed away. Many other parts, the Trinity, the Colorado, the Brazos and the San Jacinto—rose to rapid record rates and are still out of their banks.

Weather experts, Mr. Speaker, said so much rain in 10 days in Texas in May that it was enough moisture to cover the entire State in 8 inches of water. That is a lot of rain. Seventy counties have been designated disaster areas. But the rainbow news, Mr. Speaker, is that hundreds of cattle were trapped in the flooded Trinity River the size of the Mississippi River.

As the river rose in southeast Texas, a herd of cattle were trapped in the middle of the river on high ground. This high ground was eventually going to be overcome with water and the cattle would be washed out to sea. The river is between the two small towns of Liberty and Dayton, about 6 miles apart, separated by U.S. highway 90.

So Sunday, in a scene reminiscent of the 1800s roundups, cowboys mounted airboats—yes, airboats, Mr. Speaker—to force the hundreds of cattle into the river and have them swim to safer ground. The only area that had high ground was U.S. highway 90. The highway was above the water; even though water was on both sides of the highway.

The roundup took several hours because, Mr. Speaker, cattle are hard-headed. They did not want to leave the high ground and swim to a highway. So it took several hours to do this. Even the cowboys were lassoing calves and tying them to the airboat so they wouldn’t drown. Finally, after many hours, all the cattle were forced up on U.S. highway 90 between Liberty and Dayton, Texas.

Now, what do you do with them? Well, the cowboys, now on horses, along with citizens and other volunteers, herded the cattle down U.S. highway 90 to Dayton, Texas, through Main Street of Dayton, Texas. The citizens came out with their kids to see the cattle drive through Dayton, Texas, and they moved these several hundred miles of cattle to a rail yard where they will be kept, that is the highest area in the county, until the flood waters finally are diminished.

Of course, local businesses helped out: a local store, Casa Don Boni in Saberty, of course, the Sonic, always present in Dayton, supported the volunteers with food and drinks; and other businesses as well helped. This is an example of how, during a troubled time, tough times, Texas are helping each other survive this catastrophic flooding.

So, now, Mr. Speaker, that the rains that came down and the flood that came up have subsided and the earth has returned to its dry land, our prayers go to the victims, the families, the folks, the lost family, friends, and property. God bless every one of them. And we also give grateful thanks to those that helped each other during the floods of May.

And that is just the way it is.

RECOGNIZING LE GRAND UNION HIGH SCHOOL AND DOS PALOS HIGH SCHOOL IN SAN JOAQUIN VALLEY, CALIFORNIA

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

Mr. COSTA. Mr. Speaker, I rise today to recognize two exemplary high schools in my district: Le Grand Union High School and Dos Palos High School.

In California’s San Joaquin Valley, one of the most economically challenged regions of the Nation, having access to a quality education is critical for our students to succeed and these two schools shine on both the State and national levels.

Recently, both Le Grand and Dos Palos were acknowledged by the U.S. News & World Report’s annual ranking as among the top high schools in America. Not only are Le Grand High School and Dos Palos among the best in Merced County, but they both ranked among the top five high schools in our region. Their accomplishments show our students, with the right encouragement and support, can succeed.

Students, regardless of their socioeconomic status or being college bound, deserve a quality education that prepares them for the road ahead. And both Le Grand and Dos Palos High Schools are doing just that. Mr. Speaker, 81 percent of the students at Le Grand High School and 97 percent of the students at Dos Palos High School qualify for low income. These are challenging and difficult areas. I am proud to say that, at both Le Grand High School and Dos Palos, approximately half of all enrollees are in AP classes and taking the end-of-year test for college credit. Now, what does that mean? It means that every day these students are actively seizing opportunities to change their lives for the better, and for that, we are glad.

Mr. Speaker, when students succeed, our Nation succeeds, after all, they are the future of America. The great success of these students would not be possible without the amazing support of both the faculty and the staff at both high schools. These are the teachers and educators who see promise in our students and inspire them to follow their dreams and progress, teachers who have dedicated their professional careers to public education in America.

To Le Grand Union High School Principal Javier Martinez, the Le Grand Union High School faculty and staff, their board of directors, and the Le Grand student body, job well done.

To the Dos Palos High School Principal Heather Ruiz, the Dos Palos High School faculty and staff, the Dos Palos-Oro Loma School District Board of Trustees, and to that student body, again, a job well done.

Let me take this opportunity to say a big thank-you to all of you, and congratulations in achieving the Silver Medal Award given annually by the U.S. News & World Report. Your collective academic achievement is a source of pride not only in our community, but throughout the Nation.

Most importantly, all of you are making a difference, making a difference for our students. Thank you for setting the example, and thank you for the difference you are making in their lives. It is an honor and a privilege to represent you, and keep up the good work.

TRADE PROMOTION AUTHORITY

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

Mr. POMPEO. Mr. Speaker, I rise today to discuss an issue that is incredibly important not only to America, but to the folks who I represent in south central Kansas. We need to make sure that in south central Kansas we have the opportunity to access markets all over the world and to sell the great products that we make.

Mr. Speaker, it sometimes sounds like statistics, but in 2014, $12.2 billion in goods from over 3,000 companies were exported outside of Kansas. In the Fourth District alone, over $3.8 billion was exported, making Wichita and south central Kansas one of the three top exporting metros in the entire United States of America.

When you visit Wichita, you can see that. If you travel around south central Kansas, you will find great aerospace companies, companies like Learjet, Cessna, Beechcraft, and Airbus, manufacturing goods that are sold all across the world. They need access to these markets overseas. We make the 737 fuselage right in Wichita, Kansas.
And we all know the hundreds of small businesses that supply them, machine shops like DJ Engineering and McGinty Machine, that hire hundreds of people in good-paying jobs that are dependent on the capacity for south central Kansas to ship their products around the world, companies like Rubbermaid and Case New Holland that makes farm equipment and Coleman that makes camping goods.

This doesn’t begin to mention all the petroleum products that move out of Kansas. And, of course, we sell lots of agricultural products as well. Kansas is the top exporter of wheat, with over $1.5 billion per year. It ranks second in the export of meat products and third in cattle.

International trade is incredibly important to the people of south central Kansas. These aren’t just numbers. These are about real, hard-working Kansans, regulators, farmers, and jobs so that Americans and Kansans can sell their products all across the globe.

Sometimes the word “trade” gets bandied about, but what it really means is the capacity for innovation, creativity, the rule of law, and competitiveness to triumph around the world. Those are the hallmarks of the people of south central Kansas. If we get these trade agreements right, we can enhance the lives of so many folks all across the Fourth District of Kansas.

Mr. Speaker, I encourage my colleagues on both sides of the aisle to join me in supporting passage of trade promotion authority when it comes to the House for a full vote. It is in the best interests of the people of south central Kansas to ship their products around the world, companies like Rubbermaid and Case New Holland that makes farm equipment and Coleman that makes camping goods.

The Speaker pro tempore. The Chair recognizes the gentlewoman from Tennessee (Mrs. BLACKBURN) for 5 minutes.

Mrs. BLACKBURN. Mr. Speaker, on June 1, 1796, Tennessee became the 16th member of these United States. For some 200 years, Tennessee has been a part of the innovative vanguard that makes this country great, whether it be through culture, science, or even our fabulous barbecue.

Last week, I had the opportunity to tour the latest energy innovation the State of Tennessee has to offer—the Tennessee Valley Authority’s Watts Bar Nuclear facility. With the construction of Watts Bar Unit 2 now approximately 98 percent complete, TVA will soon be operating the nation’s first new American nuclear unit to come online. And I am so pleased, Mr. Speaker, that today The Hill newspaper has an article about this very facility.

The project is indeed to be celebrated. It is a model of safety and quality. The dedicated TVA employees at Watts Bar have put in a million hours of work without a lost-time accident. At the same time, they have maintained a quality acceptance rate above 97 percent. That also should be celebrated. Together with Watts Bar Unit 1, the complete facility will be able to power 1.3 million homes in the Tennessee Valley.

Mr. Speaker, America must pursue an all-of-the-above energy policy that includes nuclear. Nuclear is a clean, responsible option and one that strengthens our Nation’s energy security grid. Unfortunately, though, the EPA, the Obama administration, has proposed sweeping regulations that wage a war on coal while also dismissing the benefits and the power of nuclear energy.

Under the EPA’s Clean Power Plan, Tennessee is actually penalized for taking a leading role in providing the region and the country with a clean and reliable source of energy. When drafting the Clean Power Plan, the EPA counted the Watts Bar Unit 2 as being completed and operating at 90 percent efficiency.

It is not online yet, it is not complete, and it is not yet helping to power homes and businesses.

As a result, Tennessee’s emission targets under this rule are more difficult to reach because the State is not able to count the emission reductions from this cleaner plant towards its required cuts.

Rather than recognizing TVA’s forward-looking work to construct Watts Bar 2, EPA unfairly, and significantly, increased the emission reduction rate for Tennessee.

I was sent to Congress to ensure that the needs of my constituents are represented here in Washington. As the vice chair of the House Energy and Commerce Committee, I will continue my efforts to stop the EPA from its overreach and to stop them from implementing this administration’s special interest agenda, which has no real purpose except to protect the 21st century energy needs of the people of Tennessee.

Mr. Speaker, this is important, and I want to thank the TVA team for showing me the Watts Bar facility and for allowing me to have a remarkable visit, and I encourage them in their continued good work.

SCHOOL MILK NUTRITION ACT OF 2015

Mr. Speaker, with this past week being celebrated and remembering Memorial Day—Memorial Day having just passed—it is important that we continue to remember and honor our fallen soldiers and the new generation of heroes who equally deserve our respect, our gratitude, and the promise of continued support.

This is why I recently joined with New York Congressman CHARLES RANGEL to introduce H.R. 2516, the Veterans E-Health and Telemedicine Support Act of 2015.

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I recently teamed up with Congressman JOE COURTNEY of Connecticut to introduce H.R. 2407, the bipartisan School Milk Nutrition Act of 2015.

Between 2012 and 2014, schools across the country served 187 million fewer pints of milk, despite an increase in public school enrollment. Mr. Speaker, this is an alarming statistic considering milk is the number one source of nine essential nutrients in young Americans’ diets and provides many significant health benefits.

The School Milk Nutrition Act would pass—it is the strong support of the International Dairy Foods Association and the National Milk Producers Federation, seeks to reverse the decline of milk consumption in schools throughout Pennsylvania and across the country.

To help achieve this goal, the bill would reaffirm the requirement that milk is offered with each meal and also give schools the option of offering low-fat flavored milk, rather than only fat-free milk.

I urge my colleagues on both sides of the aisle to get behind this legislation and become a cosponsor of the School Milk Nutrition Act of 2015.

THE VETERANS E-HEALTH AND TELEMEDICINE SUPPORT ACT OF 2015

Mr. Speaker, this past week being celebrated and remembering Memorial Day—Memorial Day having just passed—it is important that we continue to remember and honor our fallen soldiers and the new generation of heroes who equally deserve our respect, our gratitude, and the promise of continued support.

This is why I recently joined with New York Congressman CHARLES RANGEL to introduce H.R. 2516, the Veterans E-Health and Telemedicine Support Act of 2015.

This bipartisan legislation would allow Veterans Affairs health professionals, including contractors, to practice telemedicine across State borders if they are qualified and practice within the scope of their authorized Federal duties.

Currently, overly cumbersome location requirements can make it difficult for veterans, especially those struggling with mental health issues, to get the help they need and deserve.

Mr. Speaker, under current law, the VA can only waive the state license requirement for treatment if both the physician and the patient are located in a federally owned facility.
The Veterans E-Health and Telemedicine Support Act of 2015 removes these barriers and allows the VA to provide treatment through physicians free of this restriction. Veterans will no longer be required to travel to a VA facility but, rather, can receive telemedicine treatment from anywhere, including their home or a community center.

Mr. Speaker, these brave men and women put so much on the line each and every day in service to our country that when they return home it is our shared responsibility to be there for these heroes by making lifesaving resources readily available.

This legislation will eliminate the multiple layers of bureaucracy, allowing our veterans to have greater access to mental and behavioral health services, especially in rural areas.

I rise today and ask my colleagues in both parties to get behind this bipartisan, commonsense legislation.

Mr. Speaker, sadly, 22 veterans commit suicide every day. Let’s end that crisis.

OBAMACARE RATE HIKES

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

Mr. MOONEY of West Virginia. Mr. Speaker, it has now been more than 5 years since President Obama signed his land-mark achievement which he called the Affordable Care Act, into law. At that time, the President and the Democrats in Congress promised that their massive Federal takeover of our healthcare system would lower costs on American families. Afford-ability was its central selling point.

But 5 years later, they must face the facts. Their law, which they forced on the American people, is a failure.

According to yesterday’s much-an- ticipated Congressional Budget Office reports—an independent agency—insurance premiums are expected to increase even more significantly next year than they did this year.

One insurer in New Mexico, Blue Cross and Blue Shield, called for a 50 percent increase in premiums. And New Mexico is just the tip of the iceberg. Tennessee is also seeking an increase of 30 percent.

The average West Virginia family—the State I am blessed to represent—pays about the same as the residents in the State of New York, which is $17,105 a year on their health insurance. That is $271 above the national average.

We cannot pretend that the Afford- able Care Act is anywhere close to “affordable.” ObamaCare adds taxes, regu-lations, and unfunded mandates onto the American consumers. The limited choice in health insurance plans is harming families and their budgets.

In my district in West Virginia, there is one insurance provider through the exchange. And this one plan is ask- ing for a rate increase as high as 21.6 percent.

President Obama has routinely and blatantly forced his failed policies on the American people. According, again, to the independent Congressional Budget Office report of February 4, 2014, ObamaCare has killed 2.5 million jobs a year.

Who are these 2.5 million Americans who have lost their jobs thanks to ObamaCare? They are disproportionately low-wage workers. The people who are hurt the most by ObamaCare are the same ones who ObamaCare was supposed to help. If we really should call it is the “Non-Affordable Care Act.”

West Virginians who get their healthcare insurance through their work are paying some of the highest rates in the United States for pre-miums and deductibles, according to a report from The Commonwealth Fund. The 33,421 West Virginians who are currently enrolled in ObamaCare cannot afford to have their rates hiked yet again.

Many Americans are left wondering how much more will we have to pay each year because of the Non-Affordable Care Act. To make matters worse, the Non-Affordable Care Act has added $1 trillion in tax increases. This is the money taken out of the pockets of hard-working American families.

The top Democrat leader here in Congress famously said on March 10, 2010: “We have to pass the Affordable Care Act, and find out what’s in it.” You should know what it is before you vote on it—come on. Well, it has been 5 years since the bill was shoved through Congress, and the American people deserve better.

We must halt ObamaCare’s takeover of the U.S. healthcare system and pass commonsense reforms that lower costs for hard-working families and expand access to health care. The State of West Virginia and the Nation need lower costs and personal control over healthcare decisions, not more Federal Government intervention.

The budget that was recently passed by the House and the Senate repealed ObamaCare—including all of its taxes, regulations, and mandates—and ObamaCare’s outrageous requirement that the taking of unborn human lives be covered as so-called “health care.”

Republican healthcare plans pave the way for patient-centered healthcare solu-tions. They focus on reform that will help reconnect doctors and patients and give patients better care through more options.

The goal of patient-centered healthcare reform is to empower the patients. Republicans in Congress have multiple proposals to address the healthcare issue. Republicans propose increasing competition and transparency in the health insurance market and stopping frivolous lawsuits against doctors and hospitals.

Americans should not be forced to buy into something that simply doesn’t work. The Non-Affordable Care Act does not work. The estimated premium increases that were announced yesterday are yet another example of the failings of this bill and this President.

RECESS

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

Accordingly (at 10 o’clock and 40 minutes a.m.), the House stood in re- cess.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HARDY) at noon.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Dear God, we give You thanks for giving us another day.

There are many important issues fac-ing our Nation—concerns about immi-gration, our national security, our personal privacy, the levels of unemployment. Bless abundantly the Members of this people’s House.

Help them to see new ways to produc-tive service, fresh approaches to under-standing each other, especially those across the aisle, and renewed commit-ment to solving the problems facing our Nation.

May they, and may we all, be transformed by Your grace and better re-flect the sense of wonder, even joy, at the opportunities to serve that are ever before us.

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 day’s proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Jour-nal stands approved.

Mr. WILSON of South Carolina. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker’s approval of the Journal.

The SPEAKER pro tempore. The question is on the Speaker’s approval of the Journal.

The question was taken; and the yeas and nays were ordered.

The SPEAKER pro tempore announced that the ayes appeared to have it.

Mr. WILSON of South Carolina. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, further pro-cedings on this question will be post-poned.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Rhode Island (Mr.
Mr. CICILLINE 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.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

AMERICA NEEDS A CHANGE

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

Mr. WILSON of South Carolina. Mr. Speaker, as American families continue to be under attack from radical Islam, it can be credited President Obama was correct on December 14, 2011, addressing troops at Fort Bragg: “We are leaving behind a sovereign, stable, and self-reliant Iraq . . . a moment of success.”

Clearly, then-President George W. Bush’s strategy of denying mass murderers safe havens to kill Americans anywhere was admitted successful. I am grateful my two oldest sons served in Iraq to protect American families.

President Obama’s failure to achieve a status of forces agreement in Iraq and his failure to uphold his declared red line in Syria led to murderous advances of ISIS/DAESH, which he publicly dismissed as junior varsity.

I hope President Obama changes course for victory in the global war on terrorism, which began with the declarations of war in 1997 against America with a goal of death to America, death to Israel, and mass slaughter of Muslims who do not submit.

President Obama’s legacy should be peace through strength, not weakness, as future attacks threaten American families.

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

SUPPORTING THE EXPORT-IMPORT BANK

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

Mr. CICILLINE. Mr. Speaker, the Export-Import Bank is a critical resource for small- and medium-sized businesses in Rhode Island’s First Congressional District and all across this country.

In fact, over the last 8 years, the Ex-Im Bank has provided more than $20 million in insured shipments, guaranteed credit, or disbursed loans for companies in my district, enabling them to export products valued at nearly $50 billion.

The Ex-Im Bank provides financing that enables these companies to access foreign markets, compete in the global economy, and create good-paying jobs here in America. American jobs are supported by the Ex-Im Bank, 164,000 American workers, and generated $17 billion in exports in 2014, and the default rate for the Ex-Im Bank was less than one-fifth of 1 percent, 0.175 percent.

Support for the reauthorization of the Ex-Im Bank is bipartisan. 180 Democrats have signed a discharge petition to force a vote on reauthorizing the Ex-Im Bank before it expires on June 30, and many Republicans have publicly supported reauthorization.

I have had the opportunity to meet with companies in my district that rely on the Ex-Im Bank, companies like the Cooley Group in Pawtucket that designs, develops, and manufactures a diversified industry-leading portfolio of premier engineered coated fabrics used across an array of industrial, commercial, and military applications.

This issue is too important for the usual partisan politics that Washington has grown used to. We need to stand up for small- and medium-sized companies and reauthorize the Ex-Im Bank before the end of this month.

ALZHEIMER’S & BRAIN AWARENESS MONTH

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

Mr. BILIRAKIS. Mr. Speaker, June is Alzheimer’s & Brain Awareness Month. Alzheimer’s is the only top 10 cause of death in America that cannot be prevented or cured; however, we are making strides.

Mr. Speaker, H.R. 6, the 21st Century Cures Act, is a bipartisan, nonpartisan bill that will spur the development of cures and treatments more quickly to help patients with chronic or rare conditions.

I am an original cosponsor of a provision in H.R. 6 to create a national data collection system for neurological diseases. Better data will pave the path toward better treatments.

In April, I held a neurological disease roundtable in my district to engage with doctors and patients, including Ron Hall, an accomplished Alzheimer’s patient. We discussed how to advance the development of treatments and cures for diseases like Alzheimer’s. Mr. Speaker, by working together, we can help Alzheimer’s patients.

WESTERN NEW YORK’S PRIDE WEEK

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

Mr. HIGGINS. Mr. Speaker, yesterday I joined the Pride Center of Western New York to celebrate the LGBT community and kick off Buffalo Pride Week.

Last week Niagara Falls Mayor Paul Dyster, Councilwoman Kristen Grandinetti, and the Rainbow City Coalition raised the rainbow flag for the first time at city hall in Niagara Falls.

Western New York’s Pride Week comes at a particularly historic time. The Supreme Court is expected to rule soon on whether the Constitution guarantees same-sex couples the right to marry. I believe that it does. I was proud to join 21 other representatives in Congress in filing an amicus brief urging the Court to find such a right in its ruling.

Mr. Speaker, marriage equality is one of the important elements of a larger effort to ensure that everyone has the same basic rights as each and every American. I congratulate the Pride Center of Western New York and the Rainbow City Coalition for their community efforts this week and advocate for equality each and every day, and I hope next year Pride Week will celebrate a Supreme Court decision that honors the right of all Americans to marry the person they love.

HIGHLIGHTING ACCOMPLISHMENTS OF TIMBERLAND SHOE COMPANY

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

Mr. GUINTA. Mr. Speaker, I rise today to highlight the significant contributions of a New Hampshire-based business that employs almost 1,500 people and contributes approximately $1.8 billion in economic revenue.

For nearly 40 years, Timberland Shoe Company has remained a staple in the New England region business community. From what started out as a small shoe company in Boston, Timberland has grown into a worldwide leader of outdoor footwear and apparel.

Headquartered in Exeter, New Hampshire, Timberland employs over 400 Granite Staters in a variety of departments such as marketing, operations, retail, administration, and more. The accomplishments of Timberland also transcend the workplace in ways where they have logged 8,500 hours of community service just in the last year.

Mr. Speaker, giving back to the community is an important aspect of successful business, and Timberland sets a great example for what all businesses should strive for. It was a privilege to visit Timberland’s headquarters last month, and I look forward to their next 40 years in the great State of New Hampshire.

NATIONAL GUN VIOLENCE AWARENESS DAY

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

Mrs. DAVIS of California. Today we recognize the first National Gun Violence Awareness Day, and when you
look around, you will see a lot of people wearing orange.

This day was declared in memory of Hadiya Pendleton, a teen-age girl who was shot and killed in a park 2 years ago. She would have turned 18 today. Hadiya’s story is sadly familiar. For Americans under the age of 20, gun violence is now the second leading cause of death.

Mr. Speaker, in recent years, we have lost more children to guns here at home than we did soldiers in Iraq and Afghanistan. It shouldn’t be political to say that these shootings need to stop. I hope we can all agree that America’s young people deserve better.

We owe it to Hadiya and those like her to come together on this issue and work to prevent future tragedies. We know that simple solutions like mandatory background checks, which a majority of Americans support, can make all the difference.

Mr. Speaker, the situation is dire, and action is long overdue. I urge my colleagues to act now on sensible gun control.

**SUPPORT FOR MORE BORDER CONTROL HITS FOUR-YEAR HIGH**

(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 poll shows that a great majority of the American people continue to oppose President Obama’s immigration policies. The new Rasmussen Reports national survey found that 77 percent of likely voters view illegal immigration as a serious problem in America today. Just 19 percent do not.

Most voters, 63 percent, believe that controlling our borders is more important than providing a legal status to those already in the country illegally. This is the highest level of support for border security since 2011. And almost three-fifths of voters think that a pathway to citizenship for illegal immigrants will just encourage more unlawful immigration.

Mr. Speaker, I urge my colleagues to stand in support of our Nation’s truckers.

The trucking industry not only provides Americans with access to goods we need to use every day, but it is also critical to our Nation’s economy.

In my home State of North Carolina, there are over 70,000 truckers working for more than 16,000 small businesses.

Perhaps even more impressive is that 86 percent of North Carolina communities depend exclusively on trucks in order to transport consumer products and goods across our State.

This industry is essential to ensure a growing and thriving U.S. economy and to provide crucial support to our Nation’s small businesses.

Mr. Speaker, I would like to thank the hard-working men and women of this industry who eat their dinners on the road so that we can eat ours at home.

**IN MEMORY OF JOHN AND ALICIA NASH**

(Mrs. WATSON COLEMAN asked and was given permission to address the House for 1 minute.)

Mrs. WATSON COLEMAN, Mr. Speaker, I rise today in memory of Princeton University mathematician John Forbes Nash, Jr., and his wife, Alicia, two beloved members of the Princeton, New Jersey, community, who died tragically over the Memorial Day weekend.

Many of us knew Dr. Nash for his groundbreaking, award-winning work in mathematics, his practical contributions to economic theory, and his journey to conquer mental illness.

Many more learned his story through his passionate portrayal in “A Beautiful Mind.”

He shared the 1994 Nobel Prize, and had just returned from celebrating his receipt of mathematics’ highest honor, the Abel Prize.

A University of Chicago economist, Roger Myerson, described Mr. Nash’s theories as equivalent to “that of the discovery of the DNA double helix in the biological sciences.”

But in New Jersey, we knew both Dr. Nash and Alicia Nash for their kindness, their humility, their devotion to the community, and the many other ways they remained so down to earth after accomplishments that drew international praise and recognition.

**HONORING JUAN JOSE MALO**

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

Ms. ROS-LEHTINEN, Mr. Speaker, I rise today to honor Juan Jose Malo on his retirement as the president of Miami’s Ecuadorian-American Chamber of Commerce.

Juan Jose has tirelessly worked to help the Ecuadorian American-owned and operated businesses in south Florida to prosper, to thrive, and to grow.

And he has always demonstrated his trademark diligence by enthusiastically advocating on behalf of all of south Florida’s business community.

Juan Jose’s generosity has also pushed the Ecuadorian-American Chamber of Commerce to undertake seven medical and humanitarian missions to Ecuador and one to the Dominican Republic.

Juan Jose specifically has sought to bring attention to the plight of the Ecuadorian people by founding the magazine “Revista Remesa,” ensuring that our community had the latest political and economic news about Ecuador.

Juan Jose’s congratulations on your years of leadership. We know that you will continue your stellar work on behalf of all of south Floridians and the entire Ecuadorian American community.

**AMERICA’S RED ROCK WILDERNESS ACT**

(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, I am pleased to introduce America’s Red
Rock Wilderness Act, a bill to designate as wilderness southern Utah’s incredible public lands, such as Desolation Canyon, the Dirty Devil, and the Greater Cedar Mesa.

These wild and precious lands are our birthright as Americans, and they are essential to who we are as a Nation. My bill safeguards these special lands and the waters, the flora, and the fauna within them. It furthers the great American conservation ethic of John Muir, of Theodore Roosevelt, and of the many other heroes who helped to preserve the great wild places we cannot imagine today living without.

As we advance toward a cleaner economy, we must protect the $646 billion outdoor recreation economy, which employs more than 6 million people nationwide. None of that is possible without protecting our public lands.

America’s Red Rock Wilderness Act would do just that.

NATIONAL GUN VIOLENCE AWARENESS DAY

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

Ms. HAHN. Mr. Speaker, I rise to recognize the first annual National Gun Violence Awareness Day. In just the past year, gun violence has killed 372 people in Los Angeles County, including 43 in my own congressional district and 20 in the city of Compton alone.

My communities continue to mourn these victims: victims like 16-year-old Lontrell Lee Turner, who was gunned down walking home from church in Compton last December; 72-year-old Mary Motsumoto, who was shot to death by her husband in their home in Lynwood; and 72-year-old Lontrell Lee Turner, who was gunned down in a restaurant in Compton last December; 65-year-old Lontrell Lee Turner, who was gunned down in a restaurant in Compton last December; 65-year-old Lontrell Lee Turner, who was gunned down in a restaurant in Compton last December; 65-year-old Lontrell Lee Turner, who was gunned down in a restaurant in Compton last December; 65-year-old Lontrell Lee Turner, who was gunned down in a restaurant in Compton last December; 65-year-old Lontrell Lee Turner, who was gunned down in a restaurant in Compton last December; 65-year-old Lontrell Lee Turner, who was gunned down in a restaurant in Compton last December; 65-year-old Lontrell Lee Turner, who was gunned down in a restaurant in Compton last December; 65-year-old Lontrell Lee Turner, who was gunned down in a restaurant in Compton last December; 65-year-old Lontrell Lee Turner, who was gunned down in a restaurant in Compton last December; 65-year-old Lontrell Lee Turner, who was gunned down in a restaurant in Compton last December; 65-year-old Lontrell Lee Turner, who was gunned down in a restaurant in Compton last December.

I have mourned with too many parents and comforted too many children who have lost loved ones through gun violence. My communities have suffered through the scourge of gun violence for too long. The children of my community can no longer be targets.

Today, I am proud to stand for gun violence awareness and wear an orange ribbon, representing the value of human life and the efforts we must take to protect it.

MENTAL HEALTH AWARENESS

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

Mr. KENNEDY. Mr. Speaker, according to a report I read recently, serious mental health problems are declining among our children, and that is very good news. But the same report found that one in every five severely troubled youth get absolutely no help at all. That is a glaring gap in our system that must be addressed today.

Far too often, the only thing standing in the way of treatment is the negative stigma associated with this disease. The stigma of treatment and medication, the stigma of anger and instability, the stigma of fear of the disease itself. At a time when there are 10 times more people with mental illness in jail than in State-funded psychiatric beds, we are not doing our job to help our loved ones wage this silent battle alone.

Last month during Mental Health Awareness Month, we recognized and thanked organizations like the Massachusetts Association for Behavioral Health for their critical work to fill the gaps in our system and wipe away the stigmas that deter so many from pursuing treatment.

NATIONAL GUN VIOLENCE AWARENESS DAY

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

Ms. ADAMS. Mr. Speaker, I rise today on the first National Gun Violence Awareness Day.

Gun violence is an increasingly growing problem in our country, claiming the lives of hundreds of thousands nationwide each year. This must be addressed now.

Gun violence has taken the lives of America’s men, women, and children. In 2010, nearly 3,000 infants, children, and teens died as a result of gun violence. This is unacceptable.

In my State of North Carolina, gun violence is rampant. According to a 2013 Center for American Progress report, North Carolina ranked 15th in the Nation for gun violence. From 2001 through 2010, more than 11,000 North Carolinians died as a result of gun violence. These senseless crimes instill fear, pain, and insecurity in our communities.

My colleagues, we must band together to repair our communities and help stop gun violence.


Mr. SESSIONS. Mr. Speaker, by the unanimous consent of the House, the gentleman from Florida (Mr. HASTINGS), my time yielded is for the purpose of detain and extend their remarks. Mr. HASTINGS. The SPEAKER pro tempore. Is there any objection to the gentleman from Florida (Mr. HASTINGS), my time yielded is for the purpose of detain and extend their remarks. Mr. HASTINGS. The SPEAKER pro tempore. Is there any objection to the gentleman from Florida (Mr. HASTINGS), my time yielded is for the purpose of detain and extend their remarks. Mr. HASTINGS. The SPEAKER pro tempore. Is there any objection to the gentleman from Florida (Mr. HASTINGS), my time yielded is for the purpose of detain and extend their remarks.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 1 hour.

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

GENERAL LEAVE

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

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

There was no objection.

Mr. SESSIONS. Mr. Speaker, House Resolution 287 provides for a modified open rule for separate consideration of H.R. 2578 and H.R. 2577. Under this rule, any Member may offer any amendments to the bills in question that comply with the rules of the House. It
also provides for 10 minutes of debate on each amendment considered. This approach has been what we call a standard rule for appropriations bills and was established and has been followed for this last year and the year before, and I believe it has been effective to make good work for this body to be able to effectively operate, allowing each and every Member of this body the chance to offer their amendments.

This rule also accomplishes two important goals:

First, it reflects the majority's commitment to an open and transparent appropriations process. This rule will also allow for all Members to bring to this body their ideas that they have that they bring from back home, perhaps ideas from their own individual constituents about how we can make this appropriations process even better. I think it is important that Members of Congress be given an opportunity to do this. We are working to make appropriations process and that is exactly what we are trying to do today for a robust opportunity for discussion. If an amendment complies with the rules of the House, it certainly will be given an up-or-down vote, if that Member chooses to do so. Second, this rule provides for reasonable time constraints. It is my belief that if Members’ ideas are heard and the process by which we consider appropriations bills is done on a timely basis, then the House will benefit, and so will the American people, so that we work effectively and efficiently at the same time. This rule, I believe, strikes a good balance, allowing all Members an opportunity to offer necessary amendments but also allowing the House to get its work done.

I estimate that we will spend about 18 hours in the process to get these bills done. Throughout this open process, the House will be able to make two great bills, I think, even better.

Mr. Speaker, the open process by which these two bills will be considered, if the rule is adopted, is not only a good thing, but I think it says something about the work that the Rules Committee is doing. I am proud to support these two underlying bills because they make tough decisions, and they prioritize the responsibilities of the Federal Government. We simply do not have enough money to spread around to not have to make tough decisions. These are tough decisions that are made.

Yesterday, at the Rules Committee, both of these bills were equally addressed on a bipartisan basis, and both the ranking member and the chairman of the subcommittee said they worked well together.

Obviously, not everybody was happy with how much they had to spend, but both of the ranking members—the Democrats who were present—addressed our committee and said that they were treated respectfully, that they were treated respectfully, and that it was an open and transparent process to achieve good things for the bills.

That is the hope that I have as we come to the floor today in that you will come to the floor with an open opportunity as a result of what we did in the Rules Committee, knowing that the process that took place back in the Appropriations Committee was well done.

Alarming, however, yesterday, we learned that President Obama has threatened to veto both of these bills because, as I quote him, they “drastically underfund critical investments.”

Let me see if I can break this down for you. It is our job to determine what those appropriations levels would be. We heard from the President of the United States when he presented his budget, and year after year after year, the President of the United States has refused to receive more than only several votes on his budget.

I believe that what we have done by working carefully and meticulously through the budget process and through the appropriations process we need to make these difficult decisions in the years and the priorities of these agencies from a congressional and, I believe, a “back home” experience.

The people of this country elected their Representatives, and their Representatives came to Washington and have had a fair and open process, notwithstanding that we are not spending as much as people want us to spend.

I believe that the President is saying that he will veto these bills because he does not believe that we simply continue to spend more and more and more. This President has an insatiable appetite that we saw and have seen year after year after year. Based upon his words, I would say back to him: Mr. President, please look at the merits of the work that the House of Representatives is doing on a bipartisan basis. We are trying to live within the parameters of a budget that has been established and that was voted on by Members of this body, that has the vast majority of the Members of this body to say, when compared to the President’s budget, this is the budget that I believe best represents what we can accomplish but that will work in the best interests of the American people, our constituents.

Mr. President, you are the same ones that you have across this great Nation. Mr. President, we are asking you to take a second look at how you listen to us and to watch the process that is going on here. I think it will develop itself into a better way for us to do business, and I would encourage the White House to look at that.

Mr. Speaker, a great nation simply cannot balance the books only. That is something that it does not have and be a great nation for very long. This last month, we crossed over the terrible, terrible threshold of going from $17 trillion to $18 trillion in debt, and we continue to add up this debt and live off that debt and add to the debt with the spending that we do. We believe that what we have got to do is become more responsible with the taxpayers’ dollars and the future of this great Nation is in question.

The law of the land and the law that the President has signed requires Congress to act within the requirements of the Budget Control Act. These were agreements that were made with the President. That is what we are talking about, and that is exactly what this appropriations process is about.

Look, I disagree with the President. I believe that what we need to do is to live within the agreement of the Budget Control Act. My party, the Republicans, have worked to lower discretionary spending from nearly $1.5 trillion in 2009, where we were, to today in 2015, $1.014 trillion.

This is the difference between 2009 and 2015, years in which excessive and out-of-control spending could have taken place but for the discipline of the Republican Party and the discipline of our Members and, might I say, of the American people, who have heard our call for having a plan, a plan which carefully moves America into the future, that lessens the amount of debt the American people have to take on, and that makes better opportunities for our children and grandchildren not to have to pay back our excessive spending just because we are a group of people who thinks it is smarter than the people back home. We aren’t.

They get also, Mr. Speaker, that we have to have a defined goal. We have to do exactly what they do back home, and that is to be responsible about a family budget, about a State budget, about a Federal Government budget.

That means disciplined accountability and a plan that you are willing to stick to. That is exactly what we have done. We have worked hard to lower discretionary spending over these years, and the effort has saved more than $2 trillion over this period of time and, I believe, over what would have been—
I think that we have lowered spending and that we have had a chance to shrink the size of government. Certainly, what we are trying to do is to work at lowering the deficit or the amount of money that would have been added. These are the discussions that people back home have with their Members of Congress: What lies ahead? And how are you going to be able to make tough decisions?

I believe that the President of the United States is listening to this because we are, on a bipartisan basis, having these same discussions in the House of Representatives and in the committees on which our Members serve. Now is the time not to go back to liberal, reckless spending opportunities. They will always abound.

It is always easier to spend somebody else’s money. I just don’t think it is right, so the Republican Party is here on the floor with two appropriations bills, and it is going to sell to the American people the confidence that we have that we can make this government work more effectively and more efficiently—yes, with fewer dollars, but with greater opportunities for efficiency.

I believe that both of these bills strike what is a balance, a balance between funding critical projects while making smart financial decisions. These two can be accomplished, and that is why we are trying to work together to prioritize it.

H.R. 2578, the Commerce, Justice, Science, and Related Agencies Appropriations Act of 2016, focuses on the true governmental interest: fighting crime; making decisions about how we keep terrorists at bay; keeping the American people safe; and supporting the U.S. economy at the same time by making critical investments in science, space, exports, and manufacturing. Certainly, in tough economic times, tough decisions are required, and that is exactly where we are.

Yesterday, we had a chance to hear from the Ranking Member of Congress—Republicans—one of them, the gentleman from Houston, Texas (Mr. CULBERSON), the subcommittee chairman. He talked about the bill reflecting smart but fair decisions. The decisions that he spoke about were that the legislation provided $51.4 billion in total discretionary, which was $661 million below the President’s request.

H.R. 2578 also prioritizes vital programs: essentially, built around law enforcement—Federal law enforcement—and their ability to aim at the problems that our citizens see and that, certainly, our law enforcement sees and to put a priority on national, public safety and initiatives that also aim for job creation and economic growth. These are part of the priorities that have to be taken up, and, in fact, they were.

The second bill, H.R. 2577, the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act of 2016, I believe, similarly had many of the same characteristics.

First of all, they are going to stick to exactly what we talked about in the budget, and they are going to have to strike a balance—a tough balance—but one which is based on the priorities of essential programs and on making responsible reductions to low-priority activities.

This bill provides $55.3 billion in discretionary funding, which is $9.7 billion below what the President wanted. Once again, the President does not want to stick to the budget agreement—an agreement that this body approved, but that is what this body is going to do.

We are going to live within the law, and living within the law is what the American people expect as part of the plan. This bill allows for important investments in national transportation infrastructure, including investments in our national highways, railways, and airports. It also provides help to people who are in dire need of affordable housing, which was one of the President’s initiatives that also aim for job creation and public safety and crime;

It was clear to me a number of years ago that government subsidized rail service on Amtrak does not make economic sense. What we have looked at is that Amtrak takes money. Years and years and years ago, they agreed that they would quit taking government subsidies and would run the railroad as an east and west operation. It became clear to me a number of years ago that government subsidized rail service on Amtrak does not make economic sense. What we have looked at is that Amtrak takes money. Years and years and years ago, they agreed that they would quit taking government subsidies and would run the railroad as an east and west operation.

Instead, what did they do? They became a cross-country hauler. Every single long-distance route that Amtrak provides—those of more than 400 miles in length—operate at a loss every single month. There are 11 routes that cost double the amount of revenue that they create. That is why I have offered two important opportunities, which were amendments, to eliminate this.

The first would eliminate the funding for Amtrak’s long-distance routes, which have a total direct cost of more than twice the revenue. That means, if the cost is twice the revenue, then it would be eliminated.

The second would eliminate the funding for Amtrak’s worst performing line, the Sunset Limited. The Sunset Limited, which is an east-west and west-east operation is subsidized for every single train by over $400 in government subsidies, a loss totaling $41.9 million last year alone.

Mr. Speaker, these are just some of the ideas. Mr. Speaker, you will be hearing about it a lot in the next 18-some hours of debate that will take place. This is a good thing about this rule. Members just like myself will have a chance to come and put their ideas as opportunities on the floor for other Members to consider. I think that is why we are here today, to work together on a process that will make our country even stronger.

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

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

Mr. HASTINGS. Mr. Speaker, I thank the gentleman from Texas, the chair of the Committee on Rules and my friend, for yielding the customary 30 minutes for debate.

I yield myself such time as I may consume, and I rise today in opposition to the rule and underlying bill. I think that is why we are here today, to work together on a process that will make our country even stronger.

Mr. Speaker, this rule provides for consideration of both H.R. 2578, the Commerce, Justice, Science, and Related Agencies Appropriations Act, as well as H.R. 2577, the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act. Both, in my opinion, are woefully inadequate and underfunded pieces of legislation that serve as a slap in the face to hard-working Americans and a reminder of my Republican colleagues’ shortsighted and irresponsible attempt at achieving a balanced budget.

Last night, in his testimony before the Committee on Rules on H.R. 2577, Ranking Member DAVID PRICE made a statement that was not only profound but incredibly accurate. He responded to Republican sentiments that slashing domestic appropriations in isolation is a necessary evil by stating that “a great nation must invest in its future.” Indeed, the importance of this investment cannot be overstated. For too long, we have forced austerity measures upon appropriators that prevent the funding of programs that create jobs; bolster our economy; repair our National highways, transit systems, and infrastructure; that fund medical research; and provide safe, decent, and affordable housing for poor and vulnerable families, the elderly, and disabled.

It both saddens and frustrates me that my Republican friends continue to go after domestic programs that would unequivocally improve the lives of so many Americans while at the same time refusing to address the real drivers of the fiscal crisis, which are tax expenditures and mandatory spending.

It is unconscionable to me that we, as a nation, cannot come up with the
money to fund projects that repair and improve our country’s transportation infrastructure. I pointed out yesterday in the Committee on Rules that aside from all of the bridges that I talked about from Florida that are in need of repair, right here in Washington, the Memorial Bridge that leads from Virginia into this city is in need of repair.

The initiative that provides grants to local law enforcement and first responders would also improve in our communities. But we provided ourselves with an unlimited budget to fight foreign wars without a mechanism to pay for those costs. Enough already, Congress. How about an authorization for the use of force rather than the methods that are employed now for ongoing, undetermined, indefinite—it appears—wars?

The solution to our current fiscal circumstances lies not in withholding of necessary funding for essential domestic programs, but in comprehensive reform that considers—yes, considers—tax reform in addition to entitlement and appropriations cuts. That is how we balanced the budget in 1994 and to a relative degree in 1997, and we had, at that time, 4 years of balanced budgets. Adherence to these Republican budget principles, self-imposed by sequestration is ineffective, detrimental to our national progress, and just plain wrong.

The Commerce, Justice, Science Appropriations measure before us today is the instrument used to provide funding for many vital programs and agencies, such as the Department of Justice, Commerce, NASA, and the National Science Foundation. Despite the importance of fully funding these agencies, this bill is a prime example of the mindless austerity of sequestration and the misguided priorities of my Republican colleagues.

Time won’t permit to add context to how we got to sequestration, and my friends on the left who believe the Committee on Rules, is absolutely correct. The President did sign this measure, but that was at the instance of an awful lot of negotiations and the government being shut down.

I don’t stand here and point fingers at either side in this regard. I said yesterday in the Committee on Rules, and I repeat here, it is the fault of 435 voters who do not know the influence of the chairman of the committee of the Committee on Rules, is absolutely correct. The President did sign this measure, but that was at the instance of an awful lot of negotiations and the government being shut down.

For example, this bill fails to adequately fund several Department of Justice grant programs and outright eliminates others, programs and funding that are critical to many State and local law enforcement activities. Specifically, the bill cuts $180 million from the Community Oriented Policing Services hiring program. This effectively eliminates a program that would put an additional 1,300 police officers on the force when a time when the relationship between many of our communities and law enforcement is strained, why are we decimating a program dedicated to building trust and mutual respect between the police and the communities they serve?

In another startling policy decision by the majority, this bill eliminates, in its entirety, several other important programs, including the substance abuse treatment programs that are critical to many State and local law enforcement activities. Spreading that are critical to many State and local law enforcement activities. Spreading that are critical to many State and local law enforcement activities. Spreading that are critical to many State and local law enforcement activities.

I come to the floor today from a meeting this morning dealing with institutions for mental disease in which the community of persons who work in substance, addiction, and mental health are pleading for the changes necessary for them to be able to address the significant problem that our population faces from veterans, to civilians, to children, and to the elderly, and yet what we did in this measure is eliminate the Substance Abuse Treatment program.

We eliminate the Violent Gang and Gun Crime Reduction initiative at a time when we are witnessing, in our Nation, serious gun violence, and many of us are today trying to highlight, at least on this one day, the epidemic of gun violence in our society and how it has cost lives and treasure.

This program, as offered, eliminates the National Center for Campus Public Safety.

Perhaps the most indicative of the misplaced funding priorities by the majority is the gun policy rider—yep, yep, a rider, not part of this bill, just kind of stuck there. What are we trying to highlight, at least on this one day, the epidemic of gun violence in our society and how it has cost lives and treasure.

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of a comprehensive surface transportation bill, which, incidentally, we have been assured is on the horizon.

Currently, one out of every nine bridges in our country is structurally deficient, and congestion has never been worse. At the same time, our population is increasing by 70 million over the next 30 years. Knowing this, we must not continue to wait for our bridges to collapse, our public transportation systems to malfunction, and our highways to deteriorate before we agree to adequate funding.

Just as it does for transportation and infrastructure initiatives, H.R. 2577 makes dramatic cuts to funding for housing support programs for poor and vulnerable individuals and families. One of the most striking of these reductions is the one levied against the public housing capital fund, making it only slightly higher than the monetary amount allocated in 1989, without accounting for inflation.

I held a housing forum on Saturday in the congressional district that I am privileged to serve, and I saw the pain that was expressed by the people in long waiting lines for section 8 housing and in the deteriorating public housing that is the 30-year-at-risk period. It just pains me even to talk about it and then to come up here and in this very week do more, if we follow our Republican friends, to cut these programs.

This bill also reduces funding for the Department of Housing and Urban Development's Choice Neighborhoods Initiative. It slashes funding for Healthy Homes and lead hazard control grants, exposing the most underprivileged children to toxic lead poisoning.

It transfers money from the housing trust fund to fund the HOME program, taking funding away from a program which is reserved for the most economically disadvantaged and in the most need of assistance, and does nothing to increase access to safe and affordable housing for the elderly or disabled.

In short, this legislation undermines the continued viability of our Nation's infrastructure and threatens our country's economic competitiveness.

I fear that without these necessary investments in transportation, housing, science, commerce, and justice programs, the negative implication of Representative Price's statement will become a reality. We will fail to remain a great Nation because we will fail to accommodate the demands of the future.

For these very important reasons, and many more that I could express, I oppose both the rule and the underlying bill, and I reserve the balance of my time.

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

I know that I see one of our colleagues from the Rules Committee who wants to come speak, but I want to take just a second and respond in kind for my party, and that is that my party does recognize that there is much that does get accomplished because of the efforts of this government and the efforts of this Congress that fund good ideas and do things.

A number of years ago, we became faced with, however, a circumstance where, in our immediate future is too much spending which means that this country has to borrow money. It is money that needs to be paid back.

But in the process of taking money, setting priorities, and spending money, there is something called interest on the debt. And that is, if money were free and you could just borrow money but not pay interest for it, I am sure we would not mind how much we borrowed.

But the bottom line is that is not the reality. The reality is that we have to pay for money that we borrow. And that debt which we have to pay money back for means that every single year the amount of money that we pay and that covers the pot of money gets larger and larger and larger. And paying back debt competes against money that we can spend on behalf of people.

And so, at some point, if you just buy off on that we have got to spend more and more and more, that means that we have to take more as debt and pay more of interest. And that competes in a marketplace, in a budget, against projects that we would like to do and that do not actually help people and that do focus on the most needy and the most vulnerable in our society.

But we are spending, Mr. Speaker, an incredible amount of money. And we are trying to learn over time how to become more efficient, how to make our cities even better, how to create jobs, and how to educate people and to bring them forth in a mature way. That is what every great nation really will be ultimately charged with: how can you make your country better not just today, but for the future.

And so Republicans do stand for not spending more what we make so that we have more that we can make in a balanced budget today and spend in a way that creates a better future for our children and grandchildren.

The bottom line is, over the last 6 years, we have gone from a debt of $9 trillion to $18 trillion. Some could say that was while we slept, but that is not true. It happened while we were trying to offer better opportunities and resolve.

So, for the last 5 years, Republicans have said we are going to quit this run-away spending, we are going to make tough decisions, and we are going to protect this great Nation at the same time. But we are asking for the American people to also recognize what we are doing, Mr. Speaker. And just as I speak to you today, I speak to people back home, as other Members of Congress, about this great debt, and say we are trying to balance what we do over time with the efficiencies that keep this great Nation great.

I will be honest with you. We live in the greatest Nation in the world. And thank God we are Americans. We trust in God, but we also trust in discipline to make this great Nation even better. And that is what appropriations bills are about: priority, making this great Nation still great, not just great.

I reserve the balance of my time.

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

Before making my remarks, I just want to say in a challenging way to the chairman of the Rules Committee that it is a pleasure to serve with on the Rules Committee.

Mr. MCOVER. I thank the gentleman from Florida for yielding, and I want to associate myself with his remarks.

Mr. Speaker, I rise today in strong opposition to this rule, which provides for consideration of the Transportation-HUD and CJS appropriations bills.

First, let me express my astonishment at the big giveaways to the trucking industry in this Transportation-HUD bill. This bill is loaded up with pet projects of the trucking industry that threaten the health and safety of the traveling public. The lack of regard for the safety and well-being of those on the roads and bridges is stunning. It is hard to believe that some of the provisions that are contained as policy riders in these appropriations bills are actually there. This bill should focus on strengthening America's infrastructure, repairing crumbling bridges, investing in public transportation, and making our roads safer, but instead puts the trucking industry in the driving seat, leaving the average American left behind.

The bill would, one, increase truck weights in Idaho and Kansas; two, allow twin 33-foot trailers on interstates; three, delay full implementation of DOT's hours of service rule, which requires minimum rest periods for truckers; and, four, prohibit the Department of Transportation from increasing minimum insurance requirements for big trucks and motor coaches.

Mr. Speaker, with all that we know, it is simply outrageous that we would allow bigger and heavier trucks on our highways.
Today’s bill is intended specifically to appropriate funds, not authorize new policy. Yet this is exactly what these policy riders are doing. They don’t belong on this bill.

Furthermore, there was not a single hearing on these riders, not one subcommittee hearing, not one full committee hearing. These issues are important enough where they should be openly debated as part of a comprehensive surface transportation authorization bill, not tucked on to an appropriations bill. They don’t belong here. But this process has become so corrupted that anything goes. Committee members are routinely disregarded and disrespected.

Making these counterfactual policy changes before the Department of Transportation finishes their comprehensive truck size and weight study that was required by MAP-21 would be irresponsible. We should allow the Department of Transportation the time it needs to get their study right.

Simply put, these trucking industry riders will make our highways less safe at a time when our infrastructure funding is woefully inadequate and our roads and bridges are crumbling.

In just the past 4 years, we have seen a dramatic 17 percent increase in the number of truck crash deaths and an alarming 28 percent increase in injuries. Instead of advancing safety measures to make our roads safer, Congress is about to roll back significant safety laws and regulations that will result in more deaths and more injuries on our roads and highways. In fatal truck and car crashes, 96 percent of the fatalities are occupants of the passenger car.

Mr. Speaker, public opinion is clear: Americans do not want bigger trucks or tired truck drivers on the road. Seventy-six percent of Americans opposed longer and heavier trucks, and 80 percent were opposed to increasing truck drivers’ work and driving hours.

Yet here we are with authorizing language on an appropriations bill to make our roads less safe. Why are my friends doing this? It might be good policy for fundraising purposes, but it is lousy policy for the American people.

These dangerous riders don’t belong here. They threaten the safety of every day Americans on the road, and we ought to insist that they be removed.

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These dangerous riders don’t belong here. They threaten the safety of every day Americans on the road, and we ought to insist that they be removed.
Mr. Speaker, I appreciate the gentleman asking. I have no further speakers and, in fact, would, as we have done many times, allow the gentleman to offer his close, and then I would also.

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

These bills exemplify the reckless- ness and the foolishness of the majority’s almost exclusive focus on domes- tic appropriations for deficit reduction, while leaving the main drivers of the deficit unaddressed. We cannot con- tinue on this path if we intend to main- tain our country’s economic competi- tiveness.

I urge my colleagues to vote “no” on the rule and underlying bills, and I yield back the balance of my time.

Mr. Speaker, I want to thank my two colleagues who serve on the Rules Committee, the gentle- man Mr. McGOVERN and the gentle- man Mr. HASTINGS.

They are both not only extremely committed to their constituency, but also to bettering this House of Repre- sentatives. Their voice and their words and their opportunities of which they stand up for, I have great respect for, and want to thank them for the character in which they have come after today’s not only debate, but yes- terday’s debate that took a number of hours as we heard from four Members of this body about their ideas about how we should pursue these two appro- priations bills.

Mr. Speaker, I want to confine my com- ments to a perspective, and that is satis- faction that I have for the way in which this process is working today. I understand, as acknowledged in the very beginning, we have an issue with how much money we are going to spend.

I recognize we are back at 2008 levels in 2015 in most of these bills. I do ac- knowledge that I do acknowledge that we are asking—requiring—on govern- ment a chance to run their agencies— spend money back at 2008 spending lev- els.

I think that the process that we are going through will also be an advan- tage ultimately, sure, in the short- term, but ultimately, where we will look at this as a prioritization basis, where we will empower the government, if they work with us and if we work with them to understand how we can keep this country great—even spending less money—how we can con- tinue to prioritize the decisionmaking to where we can pick and choose what needs to be done.

Look, it doesn’t make me happy. It makes no Member of this body happy.

Certainly, the Speaker, the gentleman from Florida, would recognize—you have needs in your district, I do, from Dallas, Texas, have needs in my imme- diate district and districts that are around.

The overwhelming need is all of us— and that is not to spend more than we can say and justify for our future be- cause the dollars that we spend are borrowed. The dollars that we borrow and spend show up on our bottom-line debt, and it impacts everybody.

The bottom line is we have to pay back interest, just like any family that takes out money on a home loan or a credit card or some- thing else. They have to be able to un- derstand that takes away because they are paying for that, their ability to spend money in a different way.

Our Republican majority is well aware of the demand that is placed on us, that we cannot go and do all the things that we would wish to do, but we have taken a pledge that we have given to the American people that they do get an understand- ing—that is we are not going to keep in the circumstance of spending money based upon taking out a loan because it is not good for our children, our grandchildren. It is not good for our future.

Mr. Speaker, today, we have had a chance to debate these two bills in this one rule. I think, once again, as I stated earlier, it is a commitment to trans- parently and openness that this body has and every Member retains here on the floor. You saw part of it today.

Through this open modified rule, each Member will have the opportunity to submit their ideas to two underlying bills, H.R. 2578 and H.R. 2577. Through this rule, the House will be able to work its way through majority rule floor votes and to make sure that the vital appropriations process is vig- orous, is timely, and reflects the will of this body.

When this rule is adopted, a robust debate will take place in a way that will allow us to fund these important measures, over $100 billion. I think that, as we talk about this, you can see, Mr. Speaker, that this body is getting its work done. It is getting its work done. We passed a budget.

We will pass the appropriations bills.

We go home every weekend; we look at our constituents back home, and we have to justify what we are doing. We are following a process that we said we would do. It is for the betterment of this country, to keep this country strong.

I am proud of the Members of this body; and, as a Republican member of our leadership team, I can tell you that we intend to follow through with the process, the promise that we make to the American people.

Mr. Speaker, I urge support for the underlying bills, for this rule.

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

The previous question was ordered. The SPEAKER pro tempore (Mr. JOLLY). The question is on the resolu- tion.

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

Mr. HASTINGS. 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, this 15- minute vote on adoption of this resolu- tion will be followed by a 5-minute vote on approval of the Journal.

The vote was taken by electronic de- vice, and there were—yeas 242, nays 180, not voting 10, as follows:

<table>
<thead>
<tr>
<th>Yeas</th>
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<td>242</td>
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[Roll No. 268]
The vote was taken by electronic device, and there were—yeas 240, nays 170, answered "present" 2, not voting 20, as follows:

<table>
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<tr>
<th>Yeas 240</th>
<th>Nays 170</th>
<th>Not Voting—20</th>
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**THE JOURNAL**

*The SPEAKER pro tempore.* The unfinished business is the question on finishing business is the question on rollcall No. 269—"yea." Mr. ROE of Tennessee. Mr. Speaker, I was not present to vote on rollcall No. 269. I would have voted "yea." Mr. Speaker, I was not present to vote on rollcall No. 269. I would have voted "yea." Mr. Speaker, I was not present to vote on rollcall No. 269. I would have voted "yea." Mr. Speaker, I was not present to vote on rollcall No. 269. I would have voted "yea." Mr. Speaker, I was not present to vote on rollcall No. 269. I would have voted "yea."
Mrs. LAWRENCE. Mr. Speaker, I ask unanimous consent to withdraw myself as a cosponsor of H.R. 994. While I strongly support our American veterans, I am concerned about permanent changes to hard-won labor agreements.

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

There was no objection.

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

Mr. CULBERSON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on H.R. 2578, and that I may include tabular material on the same.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 287 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. 2578.

The Chair appoints the gentleman from West Virginia (Mr. MOONEY) to preside over the Committee of the Whole.

The SPEAKER pro tempore. Pursuant to the rule, the bill is considered read the first time.

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

Today, I am very pleased to present to the House the fiscal year 2016 Commerce, Justice, Science, and Related Agencies Appropriations bill with my colleague, Mr. CHAKA FATTAH of Pennsylvania.

I would like to begin by thanking my ranking member CHAKA FATTAH of Pennsylvania. It has been a pleasure to work together closely on this legislation. I appreciate Mr. FATTAH’s approach to the bill. His input has improved the bill considerably. I look forward to working with him and all the members of the subcommittee as we move forward and go into conference with the Senate on this important legislation. I also want to thank Chairman HAI ROGERS of Kentucky and Ranking Member Joe L. LOWERY for their help in putting this legislation together.

This is my first year chairing the Commerce, Justice, Science, and Related Agencies Subcommittee. It is an extraordinarily important committee that is responsible for a variety of worthwhile efforts that the Federal Government is engaged, both in preserving and protecting lives and property of the American people and advancing scientific research and space exploration.

I am especially grateful to Chairman HAI ROGERS for his trust in me in this extraordinarily important assignment. I want to thank him also for his generous allocation to this subcommittee. The Republican Congress leadership has done our very best to live within our means, as every American must do, every business and every private citizen knows how important it is to only spend the money that you have on hand. Don’t spend more than you have got. We have in this Republican Congress done our very best through the appropriations process to live within our means.

Our subcommittee has—with that in mind—I am a personal follower of Dave Ramsey’s advice. I do so in my personal life and try to do so in representing the people of west Houston—don’t spend more money than you have got, and the money you have got you want to prioritize—and we have in this subcommittee prioritized the many agencies that we have responsibility for. In priority order, we have approached it with law enforcement number one and made sure that the FBI has got the resources they need to do their job of protecting against terrorists and espionage, cyber espionage. They are a growing problem that we see in so many ways. The enemies of the United States have figured out how to hardwire Trojan horses and back doors into telecommunications equipment. The FBI has just done a spectacular job of protecting this Nation in the area of cyber espionage and terrorism, and we have made the FBI a top priority in this legislation and assured that they have got all the money that they need to do their job.

We have also prioritized the work the Department of Justice is doing in enforcing our laws. We have made sure that scientific research, space exploration are prioritized, and America will preserve its leadership in the world in space exploration.

We have made sure that weather forecasting is funded and taken care of. Managing the Nation’s fisheries is extraordinarily important. As you work down that list of priorities, we have made sure those at the top of the list are fully funded and those that tend to fall towards the bottom—we have just simply had to drop some programs that are no longer authorized, the length of time for which Congress approved them is expired, or they weren’t fulfilling the function for which they were originally intended. In the bill before us today, Mr. Chairman, have provided $51.4 billion in funding for this year, which is a $1.3 billion increase over last year but $661 million below the President’s request. The President’s budget assumed a significant revenue increase and that of course is simply not going to happen. We, again, wanted to live within our means and do our very best to minimize the debt that we are passing on to our children and grandchildren, so we have done our best in this environment to fund the priority programs while reducing funding for activities that are not essential to the operations of the Federal Government.

Once we have taken care of the FBI and the FBI and the FBI and the FBI—our Congress did not get the funding they need to protect this Nation in an era of evolving threats, we have also included funding, Mr. Chairman, for 55 new immigration judges. Our committee has jurisdiction over these executive branch judges who handle immigration cases. Because of the tremendous backlog of immigration cases, we have added 55 new immigration judges to reduce that backlog and made sure that at the same time that we are providing for fully funding the U.S. Attorney’s Offices, the Marshals Service, the Drug Enforcement Agency, the ATF—Alcohol, Tobacco, Firearms and Explosives—and our prison system.

Now, for State and local law enforcement, Mr. Chairman, the subcommittee has increased funding for priority programs such as the Byrne Formula Program and the State Criminal Alien Assistance Program funding, which compensates State and local taxpayers for the cost of housing those who are in the country illegally and have committed criminal acts in violation of State law and are housed in State prison facilities—that is the responsibility of the Federal Government—and we have funded that program to the highest extent that we can.

We have also funded youth mentoring programs, which have done such great work. We have created, in addition, Mr. Chairman, in this bill a $3 million community trust program that will fund police body cameras, body camera demonstration programs, and justice reinvestment initiatives.

I want to say a special thanks to our Texas State Senator Royce West, who just concluded the Texas legislative session. Texas became the first State in the Union to pass legislation controlling when, where, and how body camera data can be provided to law enforcement or in a criminal trial to make sure to protect the privacy rights of those who are involved. Under our legislation we make sure that State law controls when, where, and how police body camera data will be used.
We have also made sure, Mr. Chairman, that NASA is fully funded in this legislation. We have provided an $18.5 billion funding level this year for NASA, which is a $519 million increase and is equal to the request we received from the President.

We have made sure to preserve America's leadership role in manned space exploration, planetary science, and made sure that we are also continuing to advance aeronautics research that NASA does such an extraordinarily important job in.

We have funded the continued development of the Orion crew vehicle at the level asked for by the White House and increased our resources for the Space Launch System to speed up when we will use that important launch system to get Americans back into orbit.

We have made sure that the National Science Foundation is fully funded. We increased the funding level for the National Science Foundation by $50 million above the historically high level they had in last year's bill.

We also included full funding for the very important BRAIN Initiative, which Ranking Member FATTAH has championed over the years, which promises to unlock the secrets of the single most important organ in the human body and promises great things for the future.

Mr. Chairman, we have also funded the National Oceanic and Atmospheric Administration, prioritizing weather forecasting and fisheries management in particular.

We made sure the Joint Polar Satellite System is funded, as well as the Geostationary Operational Environmental Satellite series.

We have, though, in order to live within our allocation, had to reduce funding in some other areas, eliminating those that no longer were necessary, those whose authorizations had expired, and, in fact, cut funding for more than a dozen bureaus and agencies that can operate with a little less. Let me also point out in conclusion, Mr. Chairman, that we have in this legislation extraordinarily important oversight language that requires each agency under our jurisdiction to submit a spending plan to the subcommittee. We have capped the life cycle costs for poorly performing programs. And we have also withheld some funding for the Department of Justice until the new Attorney General can demonstrate to us that the inspector general's recommendations regarding sexual harassment and inappropriate conduct are being implemented. I cannot stress that highly enough. When I met with the new Attorney General, that was one of the first things I brought to her attention.

We have also required, Mr. Chairman, that agencies that purchase very sensitive information technology or telecommunication systems conduct a supply chain risk assessment in consultation with the FBI to be sure that there are no hardwired Trojan horses or back doors in that communications equipment or computer equipment being purchased by the Federal Government in those agencies under our jurisdiction.

We are also requiring quarterly reporting on immigration judge performance and requiring agencies to provide inspectors general with timely information.

Finally, Mr. Chairman, I want to point out that our legislation today continues Second Amendment protections that have been built into the bill before. We have withheld funding, for example, to make sure that the United Nation's arms control treaty there has been some discussion about is not funded.

We have also prohibited the transfer or housing of GTMO prisoners into the United States.

But above all, the bottom line on this legislation is we want to ensure that the law as enacted by Congress is enforced. If an agency wants to have access to our constituents' hard-earned tax dollars, Mr. Chairman, they are going to need to demonstrate that they are enforcing the law as written by Congress, not based on some memorandum or some internal document. The law as written by Congress is fundamental to our entire system of government. Our liberty lies in the enforcement of law. It is the most fundamental principle of a republic. This great Nation was founded on that principle that no one is above the law and the law shall be enforced equally and fairly to everybody with due process.

Through our work on this subcommittee with the checks and balances that we have built into this legislation, the agencies under our jurisdiction are going to need to demonstrate that they are enforcing the law as written by Congress in order to entitle them to access to our taxpayers' very precious and hard-earned tax dollars.

Mr. Chairman, I reserve the balance of my time.
### TITLE I - DEPARTMENT OF COMMERCE

#### International Trade Administration

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<th>FY 2015 Enacted</th>
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#### Economic Development Administration

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### COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS BILL, 2016 (H.R. 2578)

**(Amounts in thousands)**

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<tr>
<td>(by transfer)</td>
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<td>(130,164)</td>
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<td>(-130,164)</td>
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<td><strong>Subtotal</strong></td>
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<td><strong>General Administration</strong></td>
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June 2, 2015
### COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS BILL, 2016 (H.R. 2578)
(Amounts in thousands)

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<th>Bill vs. FY 2015 Enacted</th>
<th>Bill vs. FY 2016 Request</th>
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<td><strong>United States Marshals Service</strong></td>
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<td><strong>Salaries and expenses</strong></td>
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<td><strong>Federal Bureau of Investigation</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Salaries and expenses</strong></td>
<td>3,378,089</td>
<td>3,413,813</td>
<td>3,444,306</td>
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<td>+30,493</td>
</tr>
<tr>
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<td>5,000,812</td>
<td>5,045,480</td>
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<td>+44,668</td>
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<tr>
<td><strong>Subtotal</strong></td>
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<td>8,414,625</td>
<td>8,489,786</td>
<td>+163,217</td>
<td>+75,161</td>
</tr>
<tr>
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<td>57,982</td>
<td>-52,018</td>
<td>-11,000</td>
</tr>
<tr>
<td><strong>Total, Federal Bureau of Investigation</strong></td>
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<td>8,483,607</td>
<td>8,547,768</td>
<td>+111,199</td>
<td>+64,161</td>
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<tr>
<td><strong>Drug Enforcement Administration</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Salaries and expenses</strong></td>
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<td>2,463,123</td>
<td>2,445,459</td>
<td>+45,459</td>
<td>-17,664</td>
</tr>
<tr>
<td><strong>Diversion control fund</strong></td>
<td>-366,680</td>
<td>-371,514</td>
<td>-371,514</td>
<td>-4,834</td>
<td>---</td>
</tr>
<tr>
<td><strong>Total, Drug Enforcement Administration</strong></td>
<td>2,033,320</td>
<td>2,091,609</td>
<td>2,073,945</td>
<td>+40,625</td>
<td>-17,664</td>
</tr>
<tr>
<td><strong>Bureau of Alcohol, Tobacco, Firearms and Explosives</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Salaries and expenses</strong></td>
<td>1,201,000</td>
<td>1,281,158</td>
<td>1,250,000</td>
<td>+49,000</td>
<td>-11,158</td>
</tr>
<tr>
<td><strong>Federal Prison System</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Salaries and expenses</strong></td>
<td>6,815,000</td>
<td>7,204,156</td>
<td>6,951,500</td>
<td>+136,500</td>
<td>-252,658</td>
</tr>
<tr>
<td><strong>Buildings and facilities</strong></td>
<td>106,000</td>
<td>140,564</td>
<td>230,000</td>
<td>+124,000</td>
<td>+89,436</td>
</tr>
<tr>
<td><strong>Limitation on administrative expenses, Federal Prison Industries, Incorporated</strong></td>
<td>2,700</td>
<td>2,700</td>
<td>2,700</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td><strong>Total, Federal Prison System</strong></td>
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<td>7,347,422</td>
<td>7,184,200</td>
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<td>-163,222</td>
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<tr>
<td><strong>State and Local Law Enforcement Activities</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Office on Violence Against Women:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Prevention and prosecution programs</td>
<td>430,000</td>
<td>473,500</td>
<td>479,000</td>
<td>+49,000</td>
<td>+5,500</td>
</tr>
<tr>
<td><strong>Office of Justice Programs:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Research, evaluation and statistics</td>
<td>111,000</td>
<td>151,900</td>
<td>---</td>
<td>-111,000</td>
<td>-151,900</td>
</tr>
<tr>
<td>State and local law enforcement assistance</td>
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<td>1,142,300</td>
<td>1,015,400</td>
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<td>-126,900</td>
</tr>
<tr>
<td>Juvenile justice programs</td>
<td>251,500</td>
<td>339,400</td>
<td>183,500</td>
<td>-68,000</td>
<td>-158,800</td>
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</table>
## COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS BILL, 2016 (H.R. 2578)
(Amounts in thousands)

<table>
<thead>
<tr>
<th>Public safety officer benefits:</th>
<th>FY 2015</th>
<th>FY 2016</th>
<th>Bill</th>
<th>Bill vs. Enacted</th>
<th>Bill vs. Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>Death benefits..................</td>
<td>71,000</td>
<td>72,000</td>
<td>72,000</td>
<td>+1,000</td>
<td></td>
</tr>
<tr>
<td>Disability and education benefits</td>
<td>16,300</td>
<td>16,300</td>
<td>16,300</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Subtotal........................</td>
<td>87,300</td>
<td>88,300</td>
<td>88,300</td>
<td>+1,000</td>
<td></td>
</tr>
<tr>
<td>Total, Office of Justice Programs</td>
<td>1,690,600</td>
<td>1,721,900</td>
<td>1,287,200</td>
<td>-403,600</td>
<td>-434,700</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Community Oriented Policing Services:</th>
</tr>
</thead>
<tbody>
<tr>
<td>COPS programs.........................</td>
</tr>
<tr>
<td>Total, State and Local Law Enforcement Activities</td>
</tr>
</tbody>
</table>

| Total, title II, Department of Justice | 27,030,158 | 29,240,480 | 27,588,115 | +597,957 | -1,352,365 |

### TITLE III - SCIENCE

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<thead>
<tr>
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<th>5,566</th>
<th>5,555</th>
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<th>-11</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>National Aeronautics and Space Administration</th>
</tr>
</thead>
<tbody>
<tr>
<td>Science..........................................</td>
</tr>
<tr>
<td>Aeronautics......................................</td>
</tr>
<tr>
<td>Space Technology................................</td>
</tr>
<tr>
<td>Exploration......................................</td>
</tr>
<tr>
<td>Space Operations..............................</td>
</tr>
<tr>
<td>Education........................................</td>
</tr>
<tr>
<td>Safety, Security and Mission Services......</td>
</tr>
<tr>
<td>Construction and environmental compliance and restoration</td>
</tr>
<tr>
<td>Office of Inspector General..................</td>
</tr>
</tbody>
</table>

| Total, National Aeronautics and Space Administration | 18,010,200 | 18,529,100 | 18,529,100 | +518,900 | --- |
| National Science Foundation |
| Research and related activities............. | 5,866,125 | 6,118,780 | 5,916,125 | +50,000 | -202,655 |
| Defense function............................ | 67,520   | 67,520   | 67,520   | ---     | ---    |
| Subtotal.................................... | 5,933,645 | 6,186,300 | 5,983,645 | +50,000 | -202,655 |
| Major Research Equipment and Facilities Construction | 200,760 | 200,310 | 200,030 | -700 | -280 |
| Education and Human Resources.............. | 866,000  | 962,570  | 866,000  | ---     | -96,570 |
| Agency Operations and Award Management.... | 325,000  | 354,800  | 325,000  | ---     | -29,840 |
| Office of the National Science Board..... | 4,370    | 4,370    | 4,370    | ---     | ---    |
| Office of Inspector General................ | 14,430   | 15,160   | 15,160   | +730    |       |
| Total, National Science Foundation........ | 7,344,205 | 7,723,590 | 7,394,200 | +50,000 | -329,345 |

### TITLE IV - RELATED AGENCIES

<table>
<thead>
<tr>
<th>Commission on Civil Rights</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries and expenses........</td>
</tr>
<tr>
<td>Equal Employment Opportunity Commission</td>
</tr>
<tr>
<td>Salaries and expenses........</td>
</tr>
</tbody>
</table>
### International Trade Commission

<table>
<thead>
<tr>
<th>FY 2015 Enacted</th>
<th>FY 2016 Request</th>
<th>Bill</th>
<th>Bill vs. Enacted</th>
<th>Bill vs. Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>64,500</td>
<td>131,500</td>
<td>84,500</td>
<td>---</td>
<td>-47,000</td>
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</table>

### Legal Services Corporation

<table>
<thead>
<tr>
<th>Payment to the Legal Services Corporation</th>
<th>-75,000</th>
<th>-152,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amounts in thousands</td>
<td></td>
<td></td>
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</tbody>
</table>

### Marine Mammal Commission

<table>
<thead>
<tr>
<th>Salaries and expenses</th>
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<th>---</th>
<th>-91</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amounts in thousands</td>
<td></td>
<td></td>
<td></td>
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</tbody>
</table>

### Office of the U.S. Trade Representative

<table>
<thead>
<tr>
<th>Salaries and expenses</th>
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<th>58,268</th>
<th>54,250</th>
<th>---</th>
<th>-2,018</th>
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</thead>
<tbody>
<tr>
<td>Amounts in thousands</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### State Justice Institute

<table>
<thead>
<tr>
<th>Salaries and expenses</th>
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<th>5,121</th>
<th>5,121</th>
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<th>---</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amounts in thousands</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Total, title IV, Related Agencies**

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<th>1,030,645</th>
<th>820,911</th>
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<th>-209,934</th>
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</thead>
<tbody>
<tr>
<td>Amounts in thousands</td>
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<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### TITLE V - GENERAL PROVISIONS

<table>
<thead>
<tr>
<th>Appropriations</th>
<th>FY 2015 Enacted</th>
<th>FY 2016 Request</th>
<th>Bill</th>
<th>Bill vs. Enacted</th>
<th>Bill vs. Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>(rescission)</td>
<td>-2,906</td>
<td>---</td>
<td>---</td>
<td>+2,906</td>
<td>---</td>
</tr>
<tr>
<td>(rescission)</td>
<td>---</td>
<td>-10,000</td>
<td>-10,000</td>
<td>---</td>
<td>-10,000</td>
</tr>
<tr>
<td>(rescission)</td>
<td>-5,000</td>
<td>---</td>
<td>---</td>
<td>+5,000</td>
<td>---</td>
</tr>
<tr>
<td>(rescission)</td>
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<td>-55,000</td>
<td>-100,000</td>
<td>-1,000</td>
<td>-45,000</td>
</tr>
<tr>
<td>(rescission)</td>
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<td>---</td>
<td>+2,000</td>
<td>---</td>
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<tr>
<td>(rescission)</td>
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<td>---</td>
<td>+23,000</td>
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</tr>
<tr>
<td>(rescission)</td>
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<td>-304,000</td>
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<td>+304,000</td>
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<tr>
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<td>-49,000</td>
<td>-49,000</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
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<td>-71,000</td>
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<td>---</td>
</tr>
<tr>
<td>(rescission)</td>
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<td>---</td>
<td>+10,000</td>
<td>---</td>
</tr>
<tr>
<td>(rescission)</td>
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<td>---</td>
<td>+6,000</td>
<td>---</td>
</tr>
<tr>
<td>(rescission)</td>
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<td>---</td>
<td>+9,000</td>
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<tr>
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<td>+3,200</td>
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<td>-20,000</td>
<td>+20,000</td>
<td>-10,000</td>
</tr>
</tbody>
</table>

**Total, title V, General Provisions**

<table>
<thead>
<tr>
<th>679,606</th>
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<th>+189,020</th>
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<tbody>
<tr>
<td>Amounts in thousands</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Mr. FAITTAH. Mr. Chair. I yield myself such time as I may consume.

Let me first, since this is my first appearance on the floor since the tragic news of the Vice President's son's death, offer my condolences. I am sure all of my colleagues and the people of Philadelphia, one of our own since they are nearby neighbors.

I also want to offer my sincere condolences and concern for the people of Texas, given the tragedy of the deaths and the severe weather incident that there that have occasioned the flooding.

We rise today in moving an appropriations bill, the Commerce, Justice, Science bill. The chairman and the ranking member from New York have assisted the subcommittee in its work. I want to thank the subcommittee chairman for all of the cooperation that has been extended.

He has pointed to a number of the circumstances in which he has helped make sure that authorities that we are interested in were accommodated in the bill, and I want to talk a little bit about that.

One is in the area of brain science, neuroscience. The BRAIN Initiative is critically important. We have some 50 million Americans suffering from brain-related diseases or disorders. Fifty million in a country of a little over 300 million is a very significant number.

The diseases themselves, everything from Alzheimer's to epilepsy, autism, brain cancer—in the case of the Vice President's son—a whole host of challenges that cost our country in not just financial ways, but affect so many families.

I want to thank the chairman for his continued cooperation and work with me on what I think is the most important area of scientific discovery that we need to be focused on as a nation.

Also, in the area of youth mentoring, the work in terms of supporting our efforts to make sure that millions of the Nation's young people have the appropriate guidance that they need, such as the great congressionally chartered organizations like the Boys & Girls Clubs of America; the YMCA; and Big Brothers Big Sisters of America, which is celebrating their 100th anniversary this month. I want to thank him for that.

I could go on through a laundry list of areas that matter and the list, in which we have worked very closely together; and there is nothing that could be improved upon in terms of the process between the interactions between the majority and the minority on this bill.

There is an elephant in the room, no pun intended, in the sense that the majority has a absolute view about the budget allocations, given the Budget Control Act, and see that as something that limits our ability to meet the challenges of our great Nation.

The minority has the view that we need to move away from that budget control agreement and move away from these automatic caps and meet the needs, as the Constitution indicated that the Appropriations Committee's job was, to meet the needs of our great Nation. We know that there are needs that are not going to be met.

The chairman just talked about how important our system of laws were. Well, in this bill, we fail short, at least at this moment, of what we need to fully do to fund the Legal Services Corporation, which was established under a Republican administration; but it provides services, not to Democrats or Republicans but to Americans all across our country, to provide access to the courts and to make sure that they can have due process in civil litigations. We know that we are short there.

We have a constitutional responsibility to fund the Census. We are going to, at the end of that.

Now, we hope that we will improve this bill. We can't improve the process, but we can improve the product as we go toward a conference with the Senate.

There are areas related to NASA, even though we funded above $18 billion, which is a historic commitment to NASA, that we still are not dealing with the pressing issues of fully funding Commercial Crew which requires—we have now paid out $500 million to our Russian counterparts to transport astronauts to the International Space Station, and we are going to have to continue that longer than we need to because we are not able, under the allocation, to meet our responsibilities and the needs on the Commercial Crew appropriations.

Now, Galileo, 400 years ago, pointed us toward Europa. I agree with the chairman that the need to fully explore and to bring back a sample and to do everything else necessary to fully understand what the potential may be is an important effort, but also funding space technology and our Commercial Crew Program.

The chairman agrees with me—are going to be important efforts for us to try to improve this bill as we go towards conference with the Senate.

The minority can't shirk its responsibility to point out these shortcomings. Having pointed them out, I do want to make the point, though, that the working relationship is one that I think appropriately reflects the kind of process we have in this House. We want all views to be considered, and I know that every offering of a view from the minority has been fully considered by the chairman.

I thank him, and I want to thank his staff, and my staff of the committee because they have worked very hard for us to come to this moment.

We are at a point in the process in which the majority will have its way. There eventually will be a Senate bill, but we also have to weigh in the administration's viewpoint in order to have a law of the land.

The administration has issued a statement on this bill, and in appropriate ways, it compliments the subcommittee for its foresight on a range of points, but it also strongly recommends changes in directions in appropriations in a variety of areas that the administration thinks would hold our country back.

I think that there is a lot to be said about fiscal prudence. We need to make sure that we are operating in a fiscally responsible way.

This Nation at its founding, at the point in which we had to separate ourselves from the British, we borrowed a few dollars. It costs us something at almost every point in the history of our country, as in the case for most families and most businesses, in which you have to make investments and which sometimes those investments cause you to have an imbalance for a moment or for a period of time.

There is a reason why we have mortgages, so that people can buy homes, and we invest in student loans so that young people can get an education. There is a need for us from time to time, to look beyond the immediate balance of the books to understand what our calling is.

We say, sometimes, that we are an exceptional nation. Exceptionalism requires us to have some foresight. We know that this is an age of innovation and scientific discovery. Some have suggested that there is nothing new under the sun, but we know that is not so.

Just in recent months, we found the largest volcano on Earth—just discovered. We found in drought-stricken parts of Africa, deep down underneath the earth, some of the largest aquifers of water. We have now discovered a warmblooded fish for the first time ever and a new species of bird in China. This is not an age in which discovery is not possible.

This is a time for our country where we should be investing in science and innovation. We have a need to as a country, as I mentioned, of just some 300-million plus, when we compete against billion-plus populated countries like China and India, we can't afford to leave any of our young people in the shadows. We can't afford to not invest in science and innovation.

I want to thank the chairman for what he has done. I want to tell him that we will continue to work with him as we go forward because I believe what we have here today is not a perfect bill, but the foundation for what will be, I think, the best Commerce, Justice, Science bill that could be produced.

It is a beginning of that process, and I want to thank him. I look forward to the debate in the amendment process. I reserve the balance of my time.

Mr. CULBERSON. Mr. Chair, it is my privilege to yield such time as he may consume to the gentleman from Kentucky (Mr. Rogers), the chairman of the full committee.

Mr. ROGERS of Kentucky. I thank Chairman CULBERSON for yielding me the time.
Mr. Chairman, I am proud to announce my support of this bill. It contains $51.4 billion for effective, proven programs within the Departments of Justice and Commerce, as well as NASA and the National Science Foundation. Within that total, funding is targeted that will help protect and secure communities across the Nation. That increase will provide the FBI with greater resources to fight terrorism and cyber crime.

It will also allow the DEA to bolster operations and show that we can live within our means. This sort of smart budgeting that could help families maximize the loss of life. I also want to express my condolences to the Vice President and join him in expressing our heartfelt condolences to the President on the loss of his son. I just can’t imagine the pain that one feels at such a tragedy. I know our hearts and prayers go out to the Biden family.

Mr. Chair, I would like to thank the ranking member leader for our team on Appropriations.

Mr. Chair, I would like to thank the ranking member leader for our team on Appropriations.

The bill also creates a new community trust initiative that will help improve the safety of communities across the Nation and work to facilitate a supply chain between these local communities and the police. This includes funding for body camera pilots and research, training, justice reform efforts, and upgraded statistics collection.

Mr. Chairman, the bill also directs funding toward key programs that will help secure America’s role as the leader in scientific innovation, grow our economy, and promote job creation. For instance, NASA receives a $519 million increase above last year, keeping us on the forefront of the space frontier.

The National Science Foundation receives a $50 million increase, directing funds to programs that will spur U.S. economic competitiveness. To help protect communities from devastating natural disasters, we provided $5.2 billion for NOAA to help boost weather warning and forecasting efforts.

As with any appropriations bill, Mr. Chairman, we had to make some tough choices to live within a tight budget allocation, but that is what the Appropriations Committee does. We make hard decisions.

I believe that this bill does that in a very responsible way, eliminating unnecessary or unneeded programs, reducing funding for other lower-priority programs. This sort of smart budgeting will help improve the way our government operates and show that we can live within our means.

Mr. Chair, I want to congratulate Chairman CULBerson for his successful first go as chairman of this subcommittee. He wanted this tour and is happy to have it and is doing a good job with it. Mr. Chairman, and I am proud of him.

I think he and Ranking Member FATTAH and their subcommittee have drafted a good bill that I am proud to have before the House today. As always, I want to thank the staff for their tireless work in drafting and bringing this bill to the floor.

Mr. Speaker, this is the fourth appropriations bill we have brought to the floor this year, and I am glad we are making progress to meet that 20 percent pace on these very important bills.

I am told that this is the earliest and quickest start to appropriations bills in recorded history. I am proud of the work that our committee is doing and, I think, doing good work.

So I urge my colleagues to continue this forward momentum and vote in favor of this very important and very well done Commerce, Justice, Science, and Funding bill.

Mr. FATTAH. I yield such time as she may consume to the gentlewoman from New York (Mrs. LOWEY), the ranking member from our part for Appropriations.

Mrs. LOWEY. Mr. Chair, I would like to thank the ranking member leader for our team on Appropriations.

The bill also creates a new community trust initiative that will help improve the safety of communities across the Nation and work to facilitate a supply chain between these local communities and the police. This includes funding for body camera pilots and research, training, justice reform efforts, and upgraded statistics collection.

Mr. Chair, I would like to thank the ranking member leader for our team on Appropriations. The bill also directs funding toward key programs that will help secure America’s role as the leader in scientific innovation, grow our economy, and promote job creation. For instance, NASA receives a $519 million increase above last year, keeping us on the forefront of the space frontier.

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I want to make it clear that Democrats are more than willing to support bills that include adequate spending levels to ensure public safety, promote economic growth, and that exclude unnecessary riders. Unfortunately, although this bill does such wonderful things and I am a great supporter once again of all the brain research, the important investments that are being made to address Alzheimer’s, autism, and other serious, serious diseases of the brain, the bill does not make appropriate investments that hard-working Americans need but, instead, advances misguided policy changes. I urge my colleagues to vote against this bill.

Thank you again to our chair and ranking members.

Mr. CULBERSON. Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. JOLLY), my colleague on the Appropriations Committee.

Mr. JOLLY. Mr. Chairman, I want to compliment the chairman for a bill that invests responsibly in law enforcement, space science research, ocean and marine resources, and weather sciences. I also want to thank the chairman for his support of an innovative and engaging data collection initiative in this bill to improve fish stock assessments and research of the fisheries in the Gulf of Mexico.

As we discussed in many of our hearings, we as a nation need to utilize all tools and technology and work with all fisheries sector participants, including recreational, for-hire, and commercial, that provide the most accurate assessment of the health of our fish stocks, including the red snapper species so critical to our quality of life in Gulf States like Florida and Texas as well as our regional economies. This innovative data collection initiative will better enable the National Marine Fisheries Service and the regional councils to make more informed decisions about the length of various fishing seasons.

Mr. Chairman, without constantly improving and accurate and quantifiable data, data that is believed to reliably reflect the fisherman’s experience on the water, our commercial and recreational fishermen, alike, find it difficult to understand decisions by government to shorten fishing seasons and limit catches.

To be clear, this new provision included in this year’s CJS bill is intended to provide the National Marine Fisheries Service Southeast Regional Office new tools to utilize data collection efforts from our recreational, for-hire, and commercial fishermen, from State and local officials, from third-party researchers, and from academia.

Data collection and research focus on the unique stock assessment challenges of Gulf fisheries. By working with our recreational, for-hire, and commercial fishermen, we get directly in data collection, NMFS Southeast Regional Office will ultimately collect more and better data and will begin to restore trust between the sectors and regulators.

This public-private effort will allow officials tasked with managing our fishery resources to strike the right balance: balance for our recreational fishing communities, the quality of life on the water, and right to fish on our waters, balance for our regional economy fueled by the commercial and for-hire fishing industry, and balance for our strong interests in stock rehabilitation, species preservation, and protecting our critical natural resources.

Mr. Chairman, I look forward to working with you as we continue to work through this appropriations process on this important provision, as well as working with NOAA and the NMFS Southeast Regional Office, during implementation of this funding to stand up to this critical innovative stock assessment initiative and make it a success for Florida and for all five of our Gulf States, including your home State of Texas.

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

The chairman and the staff have done a remarkable job working on a whole range of issues related to fish, not just in the Gulf of Mexico and Texas, but throughout the questions around salmon in Washington State and the issues related to even our part of the country where we fish a little bit. So I want to thank the gentleman for his comments.

I now yield 3 minutes to the gentleman from the great State of California (Mr. HONDA), my colleague on the subcommittee, who has really helped us on the subcommittee, particularly around areas related to innovation and science and advanced manufacturing.

Mr. HONDA. Mr. Chairman, I thank the gentleman for yielding me this time.

Let me start by thanking Chairman CULBERSON and Ranking Member FATTAH for their ongoing enthusiasm and support of the key programs funded by this bill. I am grateful for their support, including provisions addressing key concerns of mine such as the growing rape kit backlog and long delays in testing DNA evidence; preventing the politically motivated termination evaluation of a fundamental science observatory, SOFIA; and ensuring the Federal Marine Debris program, which will focus on plastics in our Nation’s waterways and oceans. Despite the inclusion of these and other beneficial programs, this bill unfortunately falls short of supporting a robust and effective portfolio of Commerce, Justice, and Science programs.

This bill was crafted under the restrictive spending cap imposed by sequestration. This unworkable funding cap has forced unacceptable cuts that greatly weaken key programs serving our country. For example, at a time when the funding for the construction, operation, and management of the Census Bureau should be on a significant ramp-up, this bill underfunds the Census Bureau by $387 million.

At the direction of Congress, the Census Bureau is testing sweeping reforms to Census methods that would reduce the overall cost of the enumeration substantially by bringing the Census into the 21st century. But without sufficient funding, the Census Bureau may have to abandon plans for a modern Census and go back to the more costly, outdated, manual 2010 design, which will end up costing $5 billion more—$5 billion. We cannot afford to waste $5 billion. We need to be fiscally responsible and have an understanding of cuts beyond the time scale of a 1-year funding bill, which means investing in the Census now.

Additionally, this bill severely underfunds and deprioritizes earth science. The bill proposes generous funding to support NASA for planetary science but seems to overlook the most important planet of all—our own. That is why I offered an amendment in committee to fully fund geo-science research at NASA and NSF instead of the $530 million underfunding being proposed.

Research in the earth and heliogeosciences helps protect our communities, our ecosystems, and our infrastructure because economic and public welfare consequences of natural hazards such as droughts, hurricanes, space weather, and earthquakes can be devastating. As our climate continues to change, this research is even more important, and yet this bill proposes to cut earth and geoscience research. We should be increasing funding in these fields to better understand natural systems and allow for more informed policy decisionmaking and not cutting them.

Additionally, this bill seeks to micromanage NASA by singling out programs in the earth and geosciences. The draconian spending cut caps have forced the cannibalization of these and other essential programs and resulted in a bill that is unworkable.

We need to adopt the President’s proposed overall funding levels to ensure that key programs such as the Census and NASA’s Earth Science Research Program are able to be effective and serve our Nation.

Mr. CULBERSON. Mr. Chairman, at this time I yield 1 minute to the gentleman from Virginia (Mr. JENKINS), my colleague and good friend from the committee.

Mr. JENKINS of West Virginia. I thank the Chairman for his good work.

Mr. Chairman, I have the honor of serving on the Appropriations Committee, which enables me to have input into our spending priorities.

This bill has a number of important programs I want to highlight drug courts. Drug courts have a proven track record. Drug courts are effective and efficient. Drug courts work.

A respected pastor and community leader in my State said: “Prisons are
for people we are really scared of, not just mad at.”

The drug epidemic continues to ravage my State, and drug courts give a needed alternative to sending those suffering from addiction to jail. Drug courts allow individuals to get into treatment, get help staying clean, and reenter society as a productive individual.

West Virginia drug courts are succeeding this year. West Virginia honored the first 1,000 adults and juveniles to successfully complete the program.

While no single program will solve the drug epidemic, we must continue to support programs that work. This bill maintains critical funding for a number of other programs that will help those trying to end this crisis.

I urge my colleagues to support this bill.

Mr. FATTAH. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. LEE), a fellow appropriator.

Ms. LEE. Mr. Chairman, let me thank our ranking member for yielding but also for his steady and competent leadership of this subcommittee on our behalf. Also, I want to thank the chairman for his consistent work at bipartisanship, even though this is still yet another funding bill brought to the floor that woefully underfunds our critical Federal programs.

The fiscal year 2016 Commerce, Justice, Science Appropriations bill really should reflect our Nation’s commitment to economic recovery, protecting our communities safe, and driving innovation. Instead, it makes critical cuts to programs at a time when they are needed most.

In the Justice title, this bill includes no funding for the Community Oriented Policing Services Hiring Program and a $58 million cut to juvenile justice programs from fiscal year 2015.

It also includes a $75 million cut to the Legal Services Corporation, which provides legal services to low-income Americans. Given what is happening in communities around the country, especially in terms of communities of color and law enforcement, these are truly unwise and misguided cuts.

Under the Science title, the National Science Foundation, which funds critical research at the University of California at Berkeley in my congressional district, is funded at $50 million below its requested level. These cuts are a huge blow to investments we should be making in scientific research to keep our Nation competitive.

In the Commerce section, this bill also includes cuts to critical programs, such as a $274 million cut to the National Oceanic and Atmospheric Administration, and funds the Census Bureau at $387 million below the President’s budget request.

Add to all of this an inappropriate policy rider about exports to Cuba and you have a bill that, despite the hard work of the chair and our ranking member, is deeply flawed.

The Acting CHAIR (Mr. EMER of Minnesota). The time of the gentlewoman has expired.

Mr. FATTAH. I yield the gentlewoman an additional 30 seconds.

Ms. LEE. Finally, let me just say we need to support our critical Federal programs. We need to protect our communities in crisis and drive scientific breakthroughs in the future.

In committee, I sponsored an amendment offered by the ranking member for Mr. LOWEY to increase COPS Hiring funding and also introduced an amendment to require jurisdictions receiving Byrne-JAG grants to put their officers through training to better work with diverse communities that they protect and serve. Congressman LACY CLAY has championed this idea, and later in this debate we will enter into a colloquy regarding this important issue, and I want to thank the chairman and ranking member for their support.

Mr. FATTAH. May I inquire of the time remaining on both sides?

The Acting CHAIR. The gentleman from Pennsylvania has 7 minutes remaining. The gentleman from Texas has 12 minutes remaining.

Mr. CULBERSON. Mr. Chairman, at this time it is my pleasure to yield 2 minutes to the gentleman from New Mexico (Mr. PEARCE), my good friend.

Mr. PEARCE. Mr. Chairman, I rise for the purpose of engaging in a colloquy with the gentleman from Texas, the chairman of the Subcommittee on Commerce, Justice, Science, and Related Agencies, if you will.

I want to thank the chairman and Ranking Member FATTAH for their efforts to forge a truly bipartisan bill to fund critical programs within the Departments of Justice, Commerce, and the scientific community. This diverse bill provides a wide range of support, from continued scientific research in space to the funding our law enforcement officers need to keep our families and communities safe. It is truly a diverse, vital bill.

Chairman CULBERSON, please permit me one point of clarification in the bill. The NASA budget includes a space operations account. This account provides funding for everything from space communications to research on the International Space Station to supporting space launch complexes. I would like to specifically discuss the space communications function within this account.

Regardless of age or mission, NASA must be able to communicate with the system it has in orbit. The space and ground networks that comprise NASA’s space communications system allow us to continue all of NASA’s orbital work. The network provides constant, real-time communications for all aspects of our space mission, from the unmanned probes at the very edges of our solar system to the ISS and Hubble Space Telescope. Without this capability, our Nation could be jeopardizing the safety of our manned operations and depriving the world of the discoveries made by our space systems.

It should be a commitment of the House to ensure that the funding for our space operations ensures strong support for the infrastructure and support needed to maintain strong and capable space communications.

Again, I thank this committee for its work in crafting this legislation and strongly supporting space communications in the past. It is my understanding that the committee has provided the space operations account with nearly $130 million more than it did in fiscal year 2015, but it intends to support a robust level of funding for the space communications component within this account.

Is that understanding correct? I yield to the gentleman.

The Acting CHAIR. The time of the gentleman has expired.

Mr. CULBERSON. I yield the gentleman an additional 30 seconds.

I want to thank my good friend and colleague from New Mexico. He is absolutely right. We have increased funding for the space operations account by $129.5 million, and we will make sure that that funding is adequate to support the space communications component with that increase.

Mr. PEARCE. I thank the gentleman.

Mr. FATTAH. Mr. Chairman, I yield 2 minutes to the gentleman from the great State of Texas (Mr. CUellar), a fellow appropriator.

Mr. CUellar. Mr. Chairman, I want to thank the ranking member for yielding, number one. Number two, I want to thank him for the steady leadership he has provided as the ranking member. I also want to thank my good friend from Texas, John CULBERSON. We go back to the State legislature. I thank him for his leadership on this one particular issue that I want to bring up today, and that is the work that we are doing together in adding 55 new immigration judges—the largest amount of immigration judges that we are going to have at one time.

So I want to thank him for working together to add that money, as well as the accountability for those judges. We have got to make sure that we not only have the judges, but we have got to make sure that they move those cases with all due process given to everybody—and to move them as soon as possible. I also thank him for the work that we have done on Stone Garden and our border law enforcement.

Why do we need those new judges? Because right now there are more than 450,000 pending cases. There is a large backlog of immigration cases. There are about 250 judges right now, with about 56 courtrooms across the Nation, but we need to do more.

If you look at the casework of an immigration judge, that person will handle about 2,100 cases. If you look at a Federal judge, that judge will handle about 40 cases. You can see the large amount of cases that we have.

So, basically, some of those cases are taking about 2½ years to handle, and therefore we need to make sure that we
have the judges in place to handle the backlog that we have.

Just to give you an example, just in the last 6 months, 170,000 people crossed the border. Therefore, we need those judges.

To conclude, I want to thank the chairman and his staff, as well as the ranking member and his staff.

Mr. CULBERSON. Mr. Chairman, it is my pleasure to yield 1 minute to the gentleman from Michigan (Mr. WALBERG), my good friend.

Mr. WALBERG. I thank the chairman.

Mr. Chairman, I rise today deeply concerned by the increase of heroin and opioid abuse in Michigan and around the country.

In Jackson, six heroin-related deaths have happened since March. In April, in Monroe County, three people overdosed in a 24-hour period. Last year, Lenawee County, my home county, had seven drug-related deaths in the first three quarters. In far too many communities across Michigan.

Today’s CJS Appropriations bill includes essential funding to assist States and localities to combat drug-related problems, including over $400 million to advance strategic plans to address the growing heroin and opioid epidemic and $372 million to tackle prescription drug abuse.

It will take all of us working together—federal citizens, treatment providers, law enforcement, elected officials at every level—to fight this growing epidemic and keep our homes and streets safe.

I appreciate the work of the chairman of the committee on this, and I support it.

Mr. FATTAH. I yield 2 minutes to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON), who has led the Democratic effort in terms of science, and I particularly thank her for her leadership on NASA.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, let me express my appreciation and respect for the chair as well as the ranking member of the subcommittee.

I really do respect the work, but I do rise in opposition to H.R. 2578. While I respect the work put into the bill by my colleagues on the Appropriations Committee, I am afraid that it represents a missed opportunity to help the nation’s research and innovation enterprise at a time when that help is urgently needed.

As other speakers have noted, this bill is the result of a fundamentally flawed House budget resolution that provides insufficient allocations for critically important activities of the federal government, including investing in our future.

Until that mismatch is addressed, we are going to continue to fall behind, both in our efforts to maintain our R&D competitiveness and our efforts to maintain the R&D capabilities we need here at home.

As Ranking Member of the House Science, Space, and Technology Committee, I would like to use this time to address some specific concerns I have with the bill.

With respect to the National Science Foundation, I have two specific concerns beyond the overall funding level. Following the directions contained in the report accompanying this bill would result in a 15-20% cut to each of the social sciences and geosciences directorates at NSF. Let me be clear. These are arbitrary and ideologically-driven cuts that reflect a lack of understanding of how science works, and a lack of understanding of the great importance of these fields of research to our national interests. Moreover, with these cuts we stand to lose a generation of talent and expertise in fields essential to the wellbeing of this nation, and we may never recover from that loss.

Second, I must comment on the flat-funding for the NSF operations account. NSF is already in the midst of building a new headquarters in Alexandria, and the funding provided to NSF in this bill may very well result in delays and therefore increased cost for that building. This is a clear-cut example of Congress being penny-wise and pound foolish.

With respect to the National Institute of Standards and Technology, I am concerned about the funding cuts to all of the accounts. I am particularly concerned about the report language that would gut the critical forensics standards activities already underway at NIST, and the bill language that would covertly, without any hearings, debate, or authorizing legislation, eliminate an entire agency, the National Technical Information Service. NTIS performs both essential and perhaps nonessential activities. This bill would throw out the baby with the bathwater without any consideration given to the consequences.

The CJS bill we are considering today falls short in a number of ways in its treatment of the National Oceanic and Atmospheric Administration. It cuts the NOAA budget 5 percent below current spending and more than 13 percent below the President’s request. This cut will have a significant impact on NOAA’s ability to provide local communities and decision-makers with the information they need to effectively manage the nation’s resources and protect the lives and property of every American.

I am especially concerned about the lack of support for NOAA’s efforts to maintain continuity in our polar observing capabilities. The President’s budget request included $380 million to fund a Polar Follow-on program. This program would help mitigate a potential gap in this critical data by building robustness into our satellite constellation. As many of you know, accurate weather forecasts and warnings are vital for the economic security of the United States, and we must ensure NOAA has the resources it needs now to ensure the long-term health of our satellites.

Additionally, I am concerned about the bill’s $30 million dollar cut to NOAA’s climate research activities. Addressing climate change is our most pressing environmental challenge and NOAA’s climate research furthers our understanding of the implementation of effective adaptation and mitigation strategies. We should be doing more to combat climate change, not less.

Finally, with respect to NASA, while I’m pleased that the Committee on Appropriations has proposed a strong top-line for the National Aeronautics and Space Administration that is consistent with the President’s overall request, I am troubled by the way that funding is allocated. In particular, I cannot support the deep cuts made to NASA’s Earth Science program. Given the leadership role NASA plays nationally in studies of the Earth system, including climate change, these cuts will do serious long-term damage if enacted into law.

In addition, I question the proposed reduction to the Orion crew vehicle program from the FY 2015 funding level, especially given the concern expressed in the report language about NASA’s ability to test all human-rated systems on the first Exploration Mission-1. I also question the proposal to fund the Safety, Security, and Mission Services account, which is critical to maintaining a world class workforce and infrastructure, below the President’s request.

Mr. Chairman, in closing, as I said before, this bill is a missed opportunity, and I cannot support it in its current form.

Mr. Chairman, I rise in opposition to H.R. 2578. While I respect the work put into the bill by my colleagues on the Appropriations Committee, I am afraid that it represents a missed opportunity to help the nation’s research and innovation enterprise at a time when that help is urgently needed.

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I am especially concerned about the lack of support for NOAA’s efforts to maintain continuity in our polar observing capabilities. The President’s budget request included $380 million to fund a Polar Follow-on program. This program would help mitigate a potential gap in this critical data by building robustness into our satellite constellation. As many of you know, accurate weather forecasts and warnings are vital for the economic security of the United States, and we must ensure NOAA has the resources it needs now to ensure the long-term health of our satellites.

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Mr. Chairman, in closing, as I said before, this bill is a missed opportunity, and I cannot support it in its current form.

I yield back.

Mr. CULBERSON. Mr. Chairman, it is my pleasure to yield 1 minute to the gentleman from Florida (Mr. Ross).
Mr. ROSS. Thank you, Chairman CULBERSON, and thank you for presenting this bill.

Mr. Chairman, I rise today in support of an important amendment that will be offered by my colleague, Representative BLAINE LUKEKEMETER, to defund the Operation Choke Point program known as Operation Choke Point.

Created under the guise of a program to root out banking fraud and money laundering, Operation Choke Point has been an out-of-control administration bureaucracy to press banks and force banks to end relationships with legitimate businesses it considers objectionable or a "reputational risk."

This administration has targeted legitimate small businesses such as fire-arm and ammunition dealers, cigar shops, pawn stores, payday lenders, and others. The backdoor effort to target legitimate law-abiding businesses it does not like and to coerce banks to choke off relationships with these legitimate businesses is contrary to our Nation’s fundamental principles of freedom.

In voting to defund Operation Choke Point, I will be voting to rein in this out-of-control administration and its assault on small, legal, legitimate businesses.

Mr. FAITAH. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois (Mr. LIPINSKI), a gentleman who, in this House, has spent a great deal of time providing leadership in terms of small businesses and connecting them up with our research institution.

Mr. LIPINSKI. I thank my friend for yielding and for his work on the Appropriations Committee.

I want to say that, Mr. Chairman, I understand the constraints that the chairman is working under, and I appreciate his work on those items that were mentioned by Ranking Member FAITAH and other Members on this side.

I rise in opposition to this bill because it fails to fund scientific research at levels we need to spur innovation and remain competitive as a Nation. In particular, I want to call attention to report language in the bill that will result in cuts to the social sciences and geosciences of over $250 million.

The NSF is the largest single source of funding for basic research in our country in a variety of fields, and that is especially true for the social sciences.

Some will say these cuts are needed to prioritize research in other areas, but this approach of limiting funding for social science is misguided for several reasons.

First, other areas of research are already heavily prioritized at the NSF. In fiscal year 2015, the NSF will spend only 3.7 percent of its budget on social science research—clearly not an outsized priority.

This is especially true when you consider that social science research saves lives and money. It was NSF-funded social science research that developed the kidney transplant program that has led to thousands of successful donor-patient pairings that had not been possible before.

Spectrum auctions conducted by the FCC were made possible by economic research sponsored by the NSF. These auctions raise billions of dollars for taxpayers and will free up chunks of spectrum so we can stay at the cutting edge of wireless technologies.

Social science research is also critical for cybersecurity, as we have heard from many expert witnesses in the Science, Space, and Technology Committee. Most cyber breaches occur because of human factors, and social science is vital in addressing this grave security risk.

For these reasons, I am urging my colleagues to oppose these cuts and to oppose this bill. We need to do better for scientific research for the sake of our country, our economy, and our jobs.

Mr. CULBERSON. Mr. Chairman, could I inquire as to how much time remains on each side?

The Acting CHAIR (Mr. DUNCAN of Texas). The gentleman from Texas has 7½ minutes remaining. The gentleman from Pennsylvania has 1 minute remaining.

Mr. CULBERSON. Mr. Chairman, I yield 1 minute to my good friend from Wisconsin (Mr. DUFFY).

Mr. DUFFY. Mr. Chairman, one of the greatest American ideas that has ever been developed by man to connect people from every corner of the Earth, whether in cafes or homes or in schools, is the Internet.

The reason the Internet has expanded and grown around the world and has been such an engine for innovation is the fact that the Internet embodies the American idea of free speech. That very idea of free speech in the Internet is under attack because the administration, in the guise of people in this institution want to see the core functions of the Internet be transferred to a foreign body that doesn’t share our idea of free speech.

Let’s keep the Internet open. Let’s make sure that we continue with the great American idea of free speech not just here in America, but in every corner of the globe because the Internet will embody that idea of free speech.

The Internet was made in America. Let’s keep its functions of the Internet in America.

Mr. FAITAH. Mr. Chairman, I have one remaining speaker, so I reserve the balance of my time to close.

Mr. CULBERSON. Mr. Chairman, it is a great honor privilege to yield 3 minutes to the gentleman from Texas (Mr. SMITH), the distinguished chairman of the full Science, Space, and Technology Committee, my colleague and good friend.

Mr. SMITH of Texas. Mr. Chairman, I thank my friend, the chairman of the Commerce, Justice, Science Subcommittee of the Appropriations Committee for yielding time me.

I thank the chairman, also, and his staff, especially John Martens, Leslie Albright, and Ashley Schiller, for working with the House Science, Space, and Technology Committee.

I especially appreciate the chairman’s support for prioritizing the funding of technological innovation, jump-start new industries, and spur economic growth.

This bill ensures that NSF is transparent and accountable to American taxpayers about how their hard-earned dollars are spent and that NSF-supported research is in the national interest.

The House CJS Appropriations bill also addresses concerns about the National Oceanic and Atmospheric Administration’s costly satellite program. In addition, this bill encourages NOAA to include private sector involvement in the space-based weather industry.

Finally, I thank Chairman CULBERSON for his re-prioritization of NASA planetary science, which implements the Science, Space, and Technology Committee’s NASA authorization reported in April.

I further look forward to working with Chairman CULBERSON and Chairman ROGERS to fully fund the Orion and Commercial Crew programs so that we can once again launch American astronauts on American rockets from American soil.

Again, I thank my friend from Texas, Chairman CULBERSON, for his enthusiasm and initiative and urge my colleagues to support this bill.

Mr. Chair, I thank Chairman CULBERSON and the staff of the Commerce-Justice-Science Appropriations Subcommittee, especially John Martens, Leslie Albright and Ashley Schiller for working with the House Science, Space, and Technology Committee. I particularly appreciate your support for prioritizing the funding of the basic research at the National Science Foundation.

This research, especially in the areas of math and physical sciences, biology, computing and engineering, holds the promise of breakthroughs that will trigger technological innovation, jump-start new industries and spur economic growth.

This bill also supports other language in the America COMPETES Reauthorization Act of 2015, which passed the House two weeks ago.

It ensures that NSF is transparent and accountable to American taxpayers about how their hard-earned dollars are spent and that NSF-supported research is in the national interest.

The National Science Foundation has played an integral part in funding breakthrough discoveries in numerous scientific fields such as the Internet and nanotechnology.

However, NSF has also approved dozens of grants for which the scientific merits and national interest are not obvious, to put it politely.
These include a climate change musical, a Norwegian tourism study, a grant on human-set fires in New Zealand in the 1800’s, a study of lawsuits in Peru in the 1600s, and a grant on the causes of stress in Bolivia.

This bill supports the policy that every NSF public engagement grant award must be accompanied by a non-technical explanation of the project’s scientific merits and a certification of how it serves the national interest. This reinforces the standards set forth in the America COMPETES Act of 2010. The appropriations bill also addresses concerns about the National Oceanic and Atmospheric Administration’s (NOAA) costly satellite program.

It ensures that appropriate oversight access is given to the Office of the Inspector General, the Government Accountability Office, and NOAA’s own Independent Review Team. Likewise, recommendations from these bodies will help guide the satellite programs as they move closer to their anticipated launch dates. In addition, this bill encourages NOAA to include private sector involvement in the space-based weather industry.

NOAA’s costly satellite programs have historically been plagued with management problems. Encouraging NOAA to purchase services from the private sector will allow for a more robust, cost-effective and efficient weather forecasting system that will help save lives and property.

I look forward to offering an amendment shortly, with Chairman Culberson’s support, to further enhance NOAA’s weather research of near-term, affordable and attainable advances in observational, computing and modeling capabilities. The amendment will result in substantial improvements in weather forecasts.

Finally, I thank Chairman Culberson for his re-prioritization of NASA planetary science, which implements the Science Committees’ NASA Authorization reported in April.

I further look forward to working with Chairman Culberson to include private sector involvement in the space-based weather industry.

We have in this bill prioritized our funding, as we all do in our private life and our business life. Following the good advice of financial guru Dave Ramsey, you don’t spend money you don’t have, and try to eliminate debt at all possible costs.

We in the majority have done our very best to make sure that we are living within our means. Although the budget caps—I know there is a great deal of frustration among my Demo crats colleagues on the limitations on spending. That is the law that was suggested initially by the White House.

It is important that we all do that so that we can to minimize the debt that we pass on to our children and grandchildren. The budget caps are reality, and we have, within the limitations that we have, prioritized the funding in this bill to make sure that law enforcement is number one; the FBI and the Department of Justice are taken care of; that the National Science Foundation, in fact, is funded at a historically high level. We have given them a $50 million increase.

We have also funded NASA at a historically high level since the Apollo program. I would certainly like to see the American space program given more. As more money becomes available, if we find an opportunity, as we move through conference, of course, we will work hard to make sure that we will plus-up funding for the sciences and space exploration everywhere we can.

I heard my colleagues mention the Legal Services Corporation, which does important work in representing the poor. We will certainly do our best to find additional funding there. I will also be filing legislation to give attorneys a tax deduction, dollar for dollar, for work that they do donating their time to the poor. I think that is a far better way to get legal services to the poor, through the Tax Code, rather than by appropriating our taxpayers’ hard-earned tax dollars.

In conclusion, Mr. Chairman, I want to point out to the Members that, above all, this legislation will ensure that the laws, as enacted by Congress, are enforced. If Federal agencies want the privilege of spending and using our constituents’ hard-earned tax dollars, they will need to demonstrate through their spending plans, through their presentations to this committee, that they are actually enforcing the law as written by Congress.

We will, throughout the course of the year, engage in vigorous oversight to ensure that our money is not only wisely spent, that it is prudently spent, that it is only spent when absolutely necessary, but that our constituents’ hard-earned tax dollars are only spent to enforce the law as written by the people’s elected representatives.

I urge my colleagues to join us today in voting for this important legislation.

Mr. Chairman, I yield back the balance of my time.
legislation will address concerns about transparency and accountability, while reaffirming our commitment to the transition.

While I cannot support the funding restriction in H.R. 2578, I stand ready to work with my colleagues on responsible oversight of the ANA transition.

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

During consideration of the bill for amendment each amendment shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent and shall not be subject to amendment. No pro forma amendment shall be in order except that the chair and ranking minority member of the Committee on Appropriations or their respective designees may offer up to 10 pro forma amendments each at any point for the purpose of debate. The Chair of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the CONGRESSIONAL RECORD designated for that purpose. Amendments so printed shall be considered read.

The Clerk will read.

The Clerk reads as follows:

H.R. 2578

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2016, and for other purposes, namely:

TITLE I
DEPARTMENT OF COMMERCE
INTERNATIONAL TRADE ADMINISTRATION
OPERATIONS AND ADMINISTRATION

For necessary for international trade activities of the Department of Commerce provided for by law, and for engaging in trade promotional activities abroad, including public diplomacy and cooperative agreements for the purpose of promoting exports of United States firms, without regard to sections 3702 and 3703 of title 44, United States Code, of the foreign commercial service for independent members of immediate families of employees stationed overseas and employees temporarily posted overseas; travel and transportation of employees of the International Trade Administration, notwithstanding section 3302 of title 31, United States Code: Provided, That, of amounts provided under this heading, not less than $15,600,000 shall be for China and Hong Kong activities, and enforcement and compliance activities: Provided further, That the provisions of the first sentence of section 106(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities; and that for the purpose of this Act, contributions under the provisions of the Mutual Educational and Cultural Exchange Act of 1961 shall include payment for assessments for services provided as part of these activities.

AMENDMENT OFFERED BY MR. GOODLATTE

Mr. GOODLATTE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk reads as follows:

Page 3, line 10, after the dollar amount, insert "(decreased by $23,600,000)".
Page 28, line 22, after the dollar amount, insert "(decreased by $2,733,000)".
Page 30, line 19, after the dollar amount, insert "(increased by $295,000,000)".
Page 47, line 7, after the dollar amount, insert "(decreased by $15,600,000)".
Page 49, line 14, after the dollar amount, insert "(decreased by $52,500,000)".
Page 72, line 7, after the first dollar amount, insert "(decreased by $270,000,000)".
Page 72, line 7, after the second dollar amount, insert "(decreased by $266,900,000)".
Page 72, line 12, after the dollar amount, insert "(decreased by $4,000,000)".
Page 72, line 13, after the dollar amount, insert "(decreased by $1,000,000)".

Mr. GOODLATTE (during the reading). Mr. Chair, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The Acting CHAIR. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Virginia, Mr. Goodlatte, and the gentleman opposed each will control 5 minutes.

Mr. CULBERSON. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. A point of order is recognized.

The Chair recognizes the gentleman from Virginia.

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

Mr. Chairman, my amendment restores necessary funding for the Federal Prisoner Detention program.

The Marshals Service assumes custody of individuals arrested by all Federal agencies and is responsible for the housing and transportation of prisoners from federal facilities in non-Federal facilities and has an average daily population of approximately 45,000 prisoners. This funding is critical to ensuring that the United States Marshals Service can provide safe, human care and custody for the approximately 204,000 Federal prisoners it will be responsible for in fiscal year 2016.

Mr. Chairman, the fiscal year 2016 Commerce, Justice, Science Appropriations bill falls nearly $400 million short of the funding necessary to maintain the Marshals Service’s prisoner detention operations. This matter must be corrected. My amendment would simply reduce less critical accounts to make up for this astounding shortfall.

My amendment also zeros out the new, unauthorized grant program to mentoring programs by $45 million, leaving a generous sum of $50 million for youth mentoring.

My amendment also zeros out the new, unauthorized grant program to make up for this astounding shortfall.

Mr. Chairman, I yield to the gentleman from Texas (Mr. CULBERSON), the chairman of the Committee, who has worked with my staff very diligently on a number of issues related to this matter, and I would be prepared to withdraw this amendment in lieu of all the difficulties he has in finding funds for the priority he has but, nonetheless, hoping that he will acknowledge that this is a priority that has been shortchanged and that we need to make sure that not only are these prisoners able to be held, and held according to law, but also that it does not give rise to prisoners being released in circumstances where they otherwise should be held in incarceration.

So I am hoping that, if the gentleman would agree moving forward to help us try to find additional funds for this account, perhaps the gentleman from Pennsylvania would be willing to help as well, and I would be willing to withdraw the amendment.

Mr. CULBERSON. Mr. Chairman, I look forward to working with the chairman of the Judiciary Committee to ensure that these prisoners are not released. I will work diligently with my colleague from Philadelphia to find additional funds as we move forward in the process. The last thing we want is for these people to be released.

It has been a privilege for me to work with you and your staff. I am very privileged to follow in the footsteps of your colleague from Virginia, Frank Wolf, who was chairman of the CJS Subcommittee and the chairman of the Judiciary Committee to close working relationship. We will do everything we can to find funding to make sure that these Federal
prisoners are not released early. That is a subject near and dear to my heart. I am very sensitive to it.

We had a Federal judge in Texas running our prisons for 25 years, William Wayne Justice; and I sued him, as a State representative, to end his control over the prisons. The main things he was doing was causing the early release of prisoners to go victimize Texans, which is utterly unacceptable. So this is a top priority. I will work with the gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Pennsylvania (Mr. FATTAH).

Mr. FATTAH. Will the gentleman yield?

Mr. GOODLATTE. I yield to the gentleman from Pennsylvania.

Mr. FATTAH. I obviously would work with the chairman on this and a whole range of other items. The offsets that you have identified would be very problematic, from my point of view. But I will work with the chairman. We need to make sure we fully fund the U.S. Marshals Service.

Mr. GOODLATTE. I thank the chairman and the ranking member.

Mr. Chairman, I ask unanimous consent to have the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Virginia?

There was no objection.

AMENDMENT OFFERED BY MR. GUINTA

Mr. GUINTA. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 10, insert after the dollar amount the following: "(reduced by $5,000,000)";

Page 42, line 24, insert after the dollar amount the following: "(increased by $5,000,000)";

Page 44, line 6, insert after the dollar amount the following: "(increased by $5,000,000)";

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from New Hampshire and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Hampshire.

Mr. GUINTA. Mr. Chairman, I rise today in support of my amendment to the Commerce, Justice, Science Appropriations bill to increase the funding for our Nation’s drug courts by $5 million.

Drug courts keep people in treatment and can be one of the most effective intervention programs for those suffering from drug addiction. And just as important, these courts reduce crime, save money, and serve families and children affected by substance abuse.

Drug and substance abuse directly impacts our States, communities, law enforcement, and families across the country. In the past 5 years alone, in my home State of New Hampshire, overdoses have increased fivefold. Last year in the Granite State, deaths from heroin and illicit drug use exceeded auto-related deaths in the State. Drug use and abuse have devastated countless families from the Granite State.

Drug courts are transforming the criminal justice system across our Nation by creating a systematic response to substance abuse and crime as an alternative to incarceration. It is not every day that we get to directly save lives in government. The drug courts program has proven to do just that.

I would also like to acknowledge and thank my colleague from Massachusetts, Mr. Lynch, for working with me on this amendment to ensure this much-needed funding.

I urge my colleagues to support my amendment as we continue to tackle the drug abuse epidemic that is plaguing communities around our Nation.

Mr. CULBERSON. Will the gentleman yield?

Mr. GUINTA. I yield to the gentleman from Texas.

Mr. CULBERSON. Mr. Chairman, I rise in support of the gentleman’s amendment.

Drug courts are a proven way to get a good outcome for people who are arrested for drug offenses. The gentleman from Pennsylvania (Mr. FATTAH) and I believe that we have already funded the drug courts at $41 million, $5 million above the request. I think the gentleman’s amendment is a worthwhile increase, and I urge my colleagues to support it.

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

Mr. FATTAH. Mr. Chairman, I ask unanimous consent to claim the time in opposition, even though I am not opposed to the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FATTAH. Mr. Chairman, on that, I want to say something, and then I will yield to my colleague.

I led the effort in my home State to create drug courts when I was in the State senate before any of my gray hairs. They have worked out spectacularly well in many places throughout the country. So I support the gentleman from New Hampshire’s amendment.

I yield such time as he may consume to the gentleman from Massachusetts (Mr. LYNCH).

Mr. LYNCH. Mr. Chairman, I want to thank the gentleman from New Hampshire (Mr. GUINTA). He and I were of a similar mind in terms of this amendment, and I am delighted that the chairman has accepted the amendment.

We understand the good that drug courts do in our society and in our system. It actually combines the resources of family, the courts, law enforcement, substance abuse agencies, our local and town governments, State governments, and, of course, the Federal Government.

Drug addiction in the United States is an epidemic that affects every city and town across America, and it cuts across every demographic. It leaves in its wake shattered lives and families and costs taxpayers hundreds of billions of dollars annually.

The National Institute on Drug Abuse estimates that the total overall cost of substance abuse in the United States, including lost productivity and health and crime-related costs, exceeds $600 billion every year. The institute also reports that drug addiction treatment has been shown to reduce associated health and social costs by far more than the cost of treatment itself. Drug courts can be the first step on the road back for those suffering with addiction.

Drug addiction is a disease, and people under the influence often act out of character. Society is beginning to recognize that we need to deal with addiction and its outcome in a way that can have a positive effect on individuals and their families and communities. I believe drug courts offer this opportunity by providing a support system and a road map for moving forward.

The drug courts are specialized dockets which handle cases involving drug- and/or alcohol-dependent offenders charged with nonviolent offenses determined to have been caused or influenced by their addiction.

I have visited many of the prisons in my State, and I would say, in some cases, 80 to 90 percent of those inmates who are in there have dual addictions at the root of their problems.

I do want to recall the support that we received in the past from the former chairman, Frank Wolf of Virginia, who is a good and decent man, and we miss him here. But I am glad to see that the current chairman is of a similar mind, and I want to thank him as well.

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

Mr. Chairman, I want to echo the sentiments of the gentleman from Massachusetts. This is a worthwhile attempt to try to help and heal families, address our process of incarceration, but also to make sure that we are doing the right thing for families across not just our region in New England but across the country.

I would also like to thank Appropriations Committee Chairman ROGERS and Subcommittee Chairman CULBERSON for their hard work not just on this component, an amendment to the bill, but the overall bill and the commitment to this particular issue. Again, I would urge my colleagues to support the amendment.

I yield back the balance of my time.

Mr. FATTAH. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Hampshire (Mr. GUINTA).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. REICHERT

Mr. REICHERT. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.
Mr. REICHERT. Mr. Chairman, I want to thank Chairman CULBERSON and Chairman ROGERS for working together with Representatives PASCRELL, and Chairman RAGGS from Washington.

The Chair recognizes the gentleman from Washington.

Mr. REICHERT. Mr. Chairman, I want to thank Chairman CULBERSON and Chairman ROGERS for working together with Representatives PASCRELL, DENT, and HERRERA BEUTLER to develop this amendment.

I would like to present this critical amendment with the colleagues that I just mentioned. This amendment increases the Edward Byrne Memorial Justice Assistance Grant Program by $100 million and decreases the Census Bureau amount.

Last year, the COPS Hiring Program received bipartisan support and was funded at $180 million in the omnibus. Unfortunately, the underlying legislation completely eliminates the COPS Hiring Program.

While we cannot restore COPS Hiring Programs and add them back into the bill due to House rules governing consideration of appropriation measures, we can at least lighten the burden and mitigate the impact of the program’s elimination on local law enforcement by passing this bipartisan amendment.

To continue to meet the needs of police departments across the country, this additional $100 million for Byrne JAG should specifically be used for grants to police departments for hiring. Ensuring the safety of our communities and neighborhoods should be one of our first priorities, and we cannot do without a sufficient number of police officers.

Mr. Chairman, the police officers and law enforcement agencies across this country are asked to do more and more with less and less, and let me just give you some examples.

When I was the sheriff in Seattle, I provided deputies to Federal task force efforts, the Joint Fugitive Task Force; the Joint Terrorism Task Force; the HIDTA Task Force, the High Intensity Drug Trafficking Area Task Force; the fusion center; and I could go on with some others.

The role that local law enforcement plays in the efforts of Federal law enforcement are integral. They are interconnected. They can’t be separated. It is a team effort from the Federal law enforcement agencies to the local law enforcement agencies. And sometimes people in this Chamber get confused as to what the local law enforcement’s role is. However, it comes to Federal responsibility.

I will just give you an example of one of my own personal experiences. Early in my career as a police officer, a sheriff’s deputy on the streets in the mid-seventies, I made a traffic stop. I came across a young lady who happened to be in the employment of somebody who was connected to a crime syndicate within the Washington area who was operating human trafficking operations from Texas to Anchorage, and not only that, but they were involved in drug trafficking.

So I developed this informant as a patrol officer driving around in my patrol car. You wouldn’t think that I might have the opportunity to bust a big case like this. But this is just an example of the day-to-day activity that police officers operate in, and they collect this information. I took it to the Federal agency responsible. I went to the DEA.

I had a secret meeting in a hotel room in downtown Seattle. The informant wouldn’t trust the Federal operatives, but she trusted me. So I had to drive to Texas. We came up with a plan for me to travel to Texas. It is a long story. I won’t get into the rest of it. But I think that everyone in this room gets the picture of how critical it is for us to integrate Federal and local law enforcement and that we have a responsibility, as the United States Congress, on the House side and on the Senate side, to support these efforts.

Mr. Ranking Member.

I yield 1 minute to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Mr. Chairman, I thank the ranking member and my brother in the Law Enforcement Caucus, DAVID REICHERT, from Washington. I want to thank my colleagues who have joined in a strong show of bipartisan support for the COPS program.

Mr. DENT.

I strongly support the gentleman’s amendment because it will allow more community hiring of police officers, and that is a good thing. God bless all our law enforcement officers, and we can’t give them enough support.

Mr. FATTAH. I yield 3 minutes to the gentleman from Texas (Mr. CULBERSON).

Mr. CULBERSON. I thank the gentleman, just to say that, as you know, we discussed in full committee that the purpose of our bill was to shift the COPS hiring because it has not been reauthorized a number of years over to the Byrne JAG Program, which can be used for hiring because these are grant applications that can be tailored for your specific community. You can be sure the money is targeted precisely for your needs in Seattle or Philadelphia, so the Byrne JAG Program money can indeed be used for hiring police officers.

I strongly support the gentleman’s amendment because it will allow more community hiring of police officers, and that is a good thing. God bless all our law enforcement officers, and we can’t give them enough support.

Mr. FATTAH. I yield 3 minutes to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Mr. Chairman, I thank the ranking member and my brother in the Law Enforcement Caucus, DAVID REICHERT, from Washington. I want to thank my colleagues who have joined in a strong show of bipartisan support for the COPS program.

Ms. HERRERA BEUTLER and Mr. DENT included.

Let me be clear what this amendment does. The Reichert amendment increases funding for the Byrne JAG by $100 million for hiring purposes, a critical step—I think, an important message.

Our amendment is supported by the major voices in the law enforcement community, including the National Association of Police Organizations, the Major County Sheriffs Association, the Fraternal Order of Police, and the Ser- 

vants Benevolent Association, so I urge my colleagues to support it.

But despite all of the debate about community policing happening across our Nation, as Mr. REICHERT referred to, the American people need to know that, despite what our amendment does, the underlying bill eliminates the Federal COPS Hiring Program. It is simply unacceptable that every year we ask the law enforcement community to do more and more with less and less.

Mr. Chairman, in last year’s House bill, the COPS program was cut by $109 million, 61 percent. So we can pontificate all we want about how we are behind the police officers of this country, but what we continue to do with successful programs, successful programs by any account, cut and cut. We were able to restore some of the money thanks to DAVID REICHERT and a few other people from both sides of the aisle, thanks to you, Mr. Chairman, and Mr. Ranking Member.

This year—this, despite being joined by over 150 of our colleagues from both
sides of the aisle in asking the committee to support the COPS program—you gutted it. We can’t even amend it. It is done. It is over.

As a cornerstone of the Federal Government’s efforts to assist State and local law enforcement, COPS Hiring has funded over 127,000 public safety officer positions. DAVID REICHerT was on the front line. He can speak to the issue over and over again. He has been there and done it. I just can talk about it.

Mr. Chairman and Mr. Ranking Member, it is plain and simple. Fewer cops on the beat mean more crime on the street. Fewer cops on the beat mean more crime on the streets. I ask you to do everything in your power, as you have done in the past—to restore what I think is probably one of the most efficient programs in the entire Federal Government, the COPS program.

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

Mr. Chairman, let me say in conclusion that I join with the chairman. I support this amendment. I support the COPS program.

For 20 years, the Federal Government has been engaged in this, launched under President Clinton, which has reduced crime in our country. Lives have been lost, has made communities safer. And even though there is some disagreement about the authorization, there is no disagreement, I don’t believe, that we should be providing resources. I think the gentleman articulated well, and I think of this discussion how intertwined local police are with our Federal law enforcement efforts and how critically indispensable they are in these efforts.

Mr. CULBERSON. Will the gentleman yield?

Mr. FATTAH. I yield to the gentleman from Texas.

Mr. CULBERSON. I thank the gentleman from Pennsylvania.

Mr. Chairman, I could point out to my good friend from New Jersey what we have done is simply shift the program over to the Byrne JAG Program, because with Byrne JAG you can customizethe your application for New Jersey, for Philadelphia, or for Seattle. You can hire police officers under the Byrne JAG Program. We shifted the program over to Byrne JAG because it is far more effective and can be tailored to your community.

So, Mr. Chair, I strongly support this amendment because with this amendment we are restoring the funding for the COPS Hiring Program, but doing it through a far more effective and locally tailored program, the Byrne JAG Program. So I would urge all my colleagues to support this bipartisan amendment.

Mr. FATTAH. Mr. Chairman, we are in agreement, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Washington (Mr. ReicHerT).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. POLIQUIN Mr. POLIQUIN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk reads as follows:

Page 3, line 10, after the dollar amount, insert "(increased by $44,000,000)"

Page 6, line 20, after the dollar amount, insert "(reduced by $50,000,000)"

Page 7, line 8, after the dollar amount, insert "(reduced by $36,000,000)"

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Maine, the gentleman opposite each will control 5 minutes.

The Chair recognizes the gentleman from Maine.

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

Mr. Chairman, families in northern, central, western, and downeast Maine are some of the hardest working, most honest people you can find in the country. They expect and they want a more effective and a more accountable government that works for them, sir, and not against them.

Now, one of the most important jobs of the Federal Government is to make sure that we protect American workers against unfair trade practices. This is very clear in our Constitution, and the Founding Fathers made this clear to us all.

Today, here in Washington, the International Trade Administration is responsible for enforcing these trade rules. Last year, three of our major paper mills in our district, the Second District of Maine, in Bucksport, Old Town, and Millinocket, closed. Mr. Chairman, 1,000 of the most skilled paper makers in the world are no longer working, and those 1,000 paychecks are no longer flowing to their families to help them care for their kids.

This year in central Maine, in Madison, Maine, a fourth paper mill is now facing difficulty and has temporarily shut down a couple of times and furloughed another 200 workers. Now, if you talk to the folks that own the mill and work on the floor in Madison, they cite two reasons: number one is the high cost of energy to run their machinery; secondly, a provincial government in Canada has provided about $125 million in unfair subsidies to a competing paper mill across the border. These subsidies are unlawful and unfair, have allowed this competing paper mill to buy new equipment and to subsidize the cost of energy to run their machinery. As a result, the price of supercalendered paper that is made across the border and also in Madison, Maine, has plummeted, causing our mill in Madison to temporarily shut down and furlough its workers.

Now this, Mr. Chairman, is not right, and this is not fair. American workers are the best in the world. We can compete with anybody in any industry in the global marketplace as long as it is a level playing field.

As our office, Mr. Chair, got involved in this issue, the ITA made it very clear to us that they did not have the staff able to fully address this issue in what we believe to be a full, thorough, and comprehensive investigation, including a number of different paper mills, when it comes to these unfair subsidies.

Up in our district, we are very frugal. We are fiscal conservatives. The folks in Maine can stretch a dollar, Mr. Chair, wider than anybody else in the country. So I am not suggesting that we increase the size of government and we increase spending. Quite the opposite. I believe our government is too big and too intrusive. However, I do have a solution to this problem.

My amendment, Mr. Chair, asks that we transfer less than 5 percent of the funding this year going to the Census Bureau to the ITA such that they have the resources to thoroughly and effectively conduct an investigation dealing with these unfair provincial subsidies in Canada.

Now, not only will a thorough and fair investigation help our workers at these Madison mills, but it will also help the backlog of cases at the ITA that affect tens of thousands of workers in various industries all throughout America. We all know in this room, on both sides of the aisle, that fair trade results in more jobs.

All of us here in this Chamber want to make sure we do everything humanly possible to help our companies grow, be more competitive, more successful, and hire more workers. When that happens, Mr. Chairman, our workers have better lives with more opportunities, more freedom, and less government dependence.

This is about jobs, Mr. Chair, and it is all about national security. I ask my colleagues on both sides of the aisle, Republicans and Democrats, to please support this amendment to make sure that we have fair trade in this country.

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

Mr. CULBERSON. Mr. Chairman, I reluctantly rise in opposition.

The Acting CHAIR. The amendment was agreed to.
Census has gotten hammered pretty hard. They just had $100 million transferred over to COPS Hiring. And if we could, I would certainly like to work with you as we move forward in ensuring that this case is investigated and handled.

Mr. FATTAH. Will the gentleman yield?

Mr. CULBERSON. I yield to the gentleman from Pennsylvania.

Mr. FATTAH. I would also work with the chairman on this matter to make sure this is fully reviewed and investigated.

Mr. POLIQUIN. Will the gentleman yield?

Mr. CULBERSON. I yield to the gentleman from Maine.

Mr. POLIQUIN. Thank you, Mr. Chair. I appreciate it very much. Although I do believe, sir, that jobs are more important than counting people, we will use the full authority of our office to help our workers at the Madison Mill to make sure that we do everything to have a level playing field.

I will withdraw this amendment, and I accept your pledge to do everything within your power and authority to please help our paper workers, the most skilled in the world, in central Maine.

Mr. CULBERSON. We will be on it and help you. I look forward to doing so aggressively and in a timely manner. Thank you very much.

Mr. POLIQUIN. Mr. Chair, I ask unanimous consent to withdraw my amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Maine?

There was no objection.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

BUREAU OF INDUSTRY AND SECURITY
OPERATIONS AND ADMINISTRATION

For necessary expenses for export administration and national security activities of the Department of Commerce, including personnel, facilities, expenses for purchase of, and travel by, vehicles, equipment, and locomotives, for export control and national security programs, including to the U.S. Export-Import Bank, $39,300,000.

Mr. CULBERSON. We will be on it and help you. I look forward to doing so aggressively and in a timely manner. Thank you very much.

Mr. POLIQUIN. Mr. Chair, I ask unanimous consent to withdraw my amendment.

The Acting CHAIR. The gentleman from California has two amendments at the desk, one to the pending paragraph and one to the previous paragraph.

The Acting CHAIR. The gentleman from California has two amendments at the desk, one to the pending paragraph and one to the previous paragraph.

The Chair is entertaining the one to the previous paragraph by unanimous consent.

Mr. FATTAH. I don't think it is any fault of your own. I am just saying for the technical matter I think that we have.

The Acting CHAIR. The gentleman from California has two amendments at the desk, one to the pending paragraph and one to the previous paragraph.

The Chair is entertaining the one to the previous paragraph by unanimous consent.

Mr. FATTAH. Is this the one that the Chair just read?

The Acting CHAIR. The gentleman is correct. That is the amendment that the Clerk just read and addressing page 3, line 10.

Pursuant to House Resolution 287, the gentleman opposed each will control 5 minutes.

The Acting CHAIR. The gentleman from California.

Mr. MCCLINTOCK. Mr. Chairman, this amendment enacts a CBO recommendation to eliminate the trade promotion activities of the International Trade Administration to save almost $312 million.

What does the ITA do exactly? Well, it helps U.S. companies that cannot directly benefit from these so-called “essential” services aren't willing to fund them, maybe that is just nature’s way of telling us we shouldn't be fleecing our constituents’ earnings to pay for services they don’t need or are perfectly capable of funding on their own. And if the companies that we are told directly benefit from these so-called “essential” services aren’t willing to fund them, maybe that is just nature’s way of telling us we shouldn’t be fleecing our constituents’ earnings to pay for services either.

And why would we tap American taxpayers to subsidize the export activities of foreigners, as Simpson-Bowles notes?

The rules of the House were specifically written to prevent this type of unauthorized expenditure, and they provide for a point of order to be raised if it is included in an appropriations
Mr. CULBERSON. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. Mr. Chairman, I share my colleague Mr. McCLINTOCK’s feeling about programs that are unauthorized and share his passion for ensuring we don’t spend money we don’t have.

But as the gentleman from Maine was just out here a moment ago, Mr. POLIQUIN has a perfect example of one of the really valid and very important functions of the ITA, and that is to identify subsidies that are unfair and imbalance our trade with a foreign nation. As he pointed out, the Canadian Government is unfairly subsidizing a paper mill right directly across the border from his constituents in Madison, Maine, and caused the furloughing of workers in Madison paper mill.

And as I just pledged to Mr. POLIQUIN, I want to make sure that ITA is doing its job when it comes to identifying and enacting some measures to counterbalance unfair trade practices like that.

I would agree with my friend from California: when it comes to promoting American business, that is the job of the Chamber of Commerce; when it comes to making sure that American businesses get the word out and shares information, that is something American businesses ought to do; but when it comes to unfair subsidies given by foreign governments to their businesses that cause American workers to lose their jobs, that is exactly what the ITA is designed to do. We need trade enforcement, we need countervailing duties, and we need export assistance.

The amendment which the gentleman from California has offered looks to be about a 70 percent cut. I would be happy to work with you and find some ways to find savings within the agency when it comes to promoting American businesses because I am a big believer. Let the Chamber of Commerce do it.

Mr. McCLINTOCK. Will the gentleman yield?

Mr. CULBERSON. I yield to the gentleman from California.

Mr. McCLINTOCK. This amendment leaves all of those legitimate activities of the ITA intact. It still leaves $160 million of activities. All it does is to defund the trade promotion activities that the CBO recognized as being wasteful, as did OMB, as did Simpson-Bowles.

Mr. CULBERSON. Well, the scale of the reduction to reduce the agency by $311,788,000 so abruptly is going to eliminate the ability, for example, to help Mr. POLIQUIN and other businesses like theirs across the country that are suffering from unfair subsidies by foreign governments. So, unfortunately, I need to oppose the amendment. A 70 percent cut is simply not sustainable. And Mr. POLIQUIN, I think, made a very eloquent case just a moment ago for the type of work the ITA needs to do.

So I would need to urge my colleagues to oppose this amendment.

Mr. FATTAH. Will the gentleman yield?

Mr. CULBERSON. I would be happy to yield to my friend from Philadelphia.

Mr. FATTAH. I thank the gentleman.

I also oppose the amendment. The business of our country is, I think, appropriate in making sure that our businesses are not locked out of a market around the world. Only 2 percent of American businesses export anywhere, and we need to have a robust effort because 90 percent of our world’s consumers live somewhere else. We do have a reality that other governments are aggressive about promoting their business opportunities. If we want American businesses to have a chance, some of those are connected to these opportunities. So I thank the chairman, and I suggest that this is not an amendment that would be in the interest of the American business community or workers.

Mr. CULBERSON. Mr. Chairman, I think the scale of the cut would be devastating to the agency. Houston, Texas, is one of the premier exporting centers of the United States, and it is important that we are in a position to be competitive in our power. The Federal Government does have an obligation to enforce trade agreements to make sure that trade is fair and free and that subsidies that are unfairly used by foreign governments do not negatively impact our workers.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

The Clerk will read.

The Clerk reads as follows:

ECONOMIC DEVELOPMENT ADMINISTRATION
ECONOMIC DEVELOPMENT ASSISTANCE
PROGRAMS

For grants for economic development assistance as provided by the Public Works and Economic Development Act of 1965, for trade adjustment assistance, for grants authorized by section 27 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3722), $213,000,000, to remain available until expended.

SALARIES AND EXPENSES

For necessary expenses of administering the economic development assistance programs as provided for by law, $37,000,000: Provided. That these funds may be used to monitor projects approved pursuant to title I of the Public Works Employment Act of 1976, title II of the Trade Act of 1974, section 27 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3722), and the Community Emergency Drought Relief Act of 1977.

MINORITY BUSINESS DEVELOPMENT AGENCY
MINORITY BUSINESS DEVELOPMENT

For necessary expenses of the Department of Commerce in fostering, promoting, and developing minority business enterprise, including expenses of grants, contracts, and other agreements with public or private organizations, $32,000,000.

ECONOMICS AND STATISTICS ANALYSIS
SALARIES AND EXPENSES

For necessary expenses for collecting, compiling, analyzing, publishing, and disseminating economic and statistical analysis, $100,000,000, to remain available until September 30, 2017.

BUREAU OF THE CENSUS
CURRENT SURVEYS AND PROGRAMS

For necessary expenses for conducting, compiling, analyzing, publishing, and disseminating economic and statistical analysis, as provided for by law, $326,000,000: Provided. That, from amounts provided herein, funds may be used for promotion, outreach, and marketing of activities: Provided further, That the Bureau of the Census shall collect data for the Annual Social and Economic Supplement to the Current Population Survey using the same health insurance questions included in previous years, in addition to the revised questions implemented in the Current Population Survey beginning in February 2014.

AMENDMENT OFFERED BY MR. NUGENT

Mr. NUGENT. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk reads as follows:

Page 6, line 20, after the dollar amount, inserted: "(reduced by $4,000,000)."

Page 44, line 7, after the dollar amount, inserted: "(increased by $2,000,000)."

Page 44, line 8, after the dollar amount, inserted: "(reduced by $4,000,000)."

Page 42, line 24, after the dollar amount, inserted: "(increased by $4,000,000)."

The Acting CHAIR. Pursuant to House Resolution 267, the gentleman from Florida and Mr. McCLINTOCK opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.
Mr. NUGENT. Mr. Chairman, each day more and more Americans are realizing that we need to take action to deal with mental health issues in this country. We need to make it a priority.

My amendment, in keeping with that sentiment, would provide additional funding for programs under the Mentally Ill Offender Treatment and Crime Reduction Act and for Veterans Treatment Courts.

These are programs with proven track records of effectively addressing some of the important issues associated with mental health illnesses. My amendment would offset this increase by taking $4 million from the periodic censuses and programs account.

Mr. Chairman, both of the programs that would receive an increase in funding under my amendment highlight the need for our justice and mental health systems to work together. As a former sheriff, I can tell you that cooperation is vital. If our justice and mental health systems are collaborating, we can provide more positive outcomes not only for those with mental health illnesses, but for taxpayers as well.

Grants provided under MIOT CRA are used, among other purposes, to set up mental health courts, for community reentry services, and for training State and local law enforcement officers to help identify and provide early intervention for those with mental health crises, which saves the lives of both the mentally ill and of the responding officers.

During my 37 years as a cop, I saw firsthand how our jails were becoming warehouses for people with mental health needs. No one is well served by this process, not those with mental illness, not our taxpayers, and, certainly, as I spoke earlier, not our veterans.

Let me provide you with some numbers to illustrate what actually is going on within our jails. According to the Florida Mental Health Institute, over a 5-year period, 97 individuals from Miami-Dade County accounted for 2,200 bookings in the county jail; 27,000 days in the jail; and 13,000 days in crisis units, State hospitals, and emergency rooms.

The cost to the State and to local taxpayers was nearly $13 million for just 97 people. However, the type of programs my amendment supports have been shown to dramatically reduce these rates.

In Pinellas County, for instance, which is another Florida county, a mental health jail diversion program showed an 87 percent reduction in re-arrests for the nearly 3,000 offenders who were enrolled. Not only does my amendment support these programs, but it also recognizes the unique responsibility that we have to our veterans.

Veterans are disproportionately affected by mental health illnesses. Even more, they would likely not have these issues if it weren’t for their service to this country. We owe them a better outcome, and Veterans Treatment Courts can help. My point is that they are some of the best investments we can make.

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

Mr. CULBERSON. Mr. Chairman, I claim the time in opposition, but I am not opposed to the gentleman’s amendment.

The Acting CHAIR. Without objection, the gentleman from Texas is recognized for 5 minutes.

There was no objection.

Mr. CULBERSON. Mr. Chairman, I support the gentleman’s amendment. Veterans courts and mental health courts do great work. It is a very important role that they serve. I want to also thank the gentleman for his service as a police officer. We just simply cannot thank our police officers enough for the good work that they do, and I strongly support the gentleman’s amendment.

Mr. FATTAH. Will the gentleman yield?

Mr. CULBERSON. I yield to the gentleman from Pennsylvania.

Mr. FATTAH. I support the gentleman’s amendment, and I thank him for offering it.

Mr. CULBERSON. Mr. Chairman, I yield back the balance of my time.

Mr. NUGENT. Mr. Chairman, I yield 1 minute to the gentleman from Georgia (Mr. COLLINS).

Mr. COLLINS of Georgia. I appreciate the gentleman from Florida for yielding.

Mr. Chairman, I rise today in support of the Nuget-Collins amendment, which provides critical additional funding for Veterans Treatment Courts and mental health courts.

I have seen firsthand the difference that mental health courts and Veterans Treatment Courts can make. Over the course of the past few months in and around the Ninth District and all over Georgia, this is something that I have worked on not only in the State of Georgia, but also now in working nationally with my friend from Florida.

Our jails are not mental health facilities, but we continue to use them that way, despite the fact that they are not in anyone’s best interest. By treating the mentally ill with compassion, we can provide them a second chance to get better.

We can also cut costs, empower States, reduce recidivism, and ensure that law enforcement officers can focus on protecting the safety of the public.

By investing in Veterans Treatment Courts, we can better serve those who have served us, and we can address PTSD and related issues in a more meaningful way.

I appreciate Mr. NUGENT and his tireless leadership on this issue in advocating for a better, more sensible approach. Together we introduced the Comprehensive Justice and Mental Health Act, which would expand and further improve upon the mental health and Veterans Treatment Court programs that are funded by H.R. 2578.

I just want to encourage everyone to support this amendment. Again, let’s take an honest, serious look at how we are dealing with those with mental health issues.

Mr. NUGENT. Mr. Chairman, I yield to the gentleman from Pennsylvania (Mr. FATTAH).

Mr. FATTAH. I talked to our colleague from Georgia, who just spoke on this matter, and I know he has talked about how this is really critically important for veterans.

It is a population that we have to be concerned about, so I want to thank you again for offering this, and the chairman and I agree.

Mr. NUGENT. In reclaiming my time, Mr. Chairman, I appreciate the chairman of the subcommittee and I appreciate the ranking member in their support of this because it really is about how we deal with our fellow man.

It is about a way that we shouldn’t be criminalizing mental health disorders. That is the worst thing that we can do. As a police officer and as a sheriff for over 30 years, I have seen the effects of untreated mental illness, particularly in the county jails where they are now warehoused.

I truly do appreciate the support across the board, and I will tell you that our law enforcement officers and our correctional officers will support it also.

I yield back the balance of my time.

The Acting CHAIR (Mr. RODNEY DAVIS of Illinois). The question is on the amendment offered by the gentleman from Florida (Mr. NUGENT).

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk reads as follows:

PERIODIC CENSUSES AND PROGRAMS ACCOUNT

INCLUDING TRANSFER OF FUNDS

For necessary expenses for collecting, compiling, analyzing, preparing and publishing statistics for periodic censuses and programs provided for by law, $848,000,000, to remain available until September 30, 2017: Provided, That, from amounts provided herein, funds may be used for promotion, outreach, and marketing activities: Provided further, That within the amounts appropriated, $1,551,000 shall be transferred to the “Office of Inspector General” account for activities associated with carrying out investigations and audits related to the Census Enterprise Data Collection and Processing (CEDCaP) program, may be obligated until the Secretary submits to the Committee on Appropriations of the House of Representatives and the Senate a plan for expenditure that (1) identifies for each CEDCaP project/investment over $25,000 (a) the functional and performance related objectives and (b) the estimated lifecycle cost, including estimates for development as well as operational and other costs, (c) key milestones to be met; (d) details for each project/investment (a) reasons for any cost...
and schedule variances, and (b) top risks and mitigation strategies, and (3) has been submitted to the Government Accountability Office.

**AMENDMENT OFFERED BY MR. POE OF TEXAS**

Mr. POE of Texas, Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk reads as follows:

Page 7, line 8, insert after the dollar amount the following: "(reduced by $17,300,000)".

Page 38, line 9, insert after the dollar amount the following: "(increased by $17,300,000)".

Page 41, line 14, insert after the dollar amount the following: "(increased by $17,300,000)".

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. POE of Texas, Mr. Chairman.

Congress has made it clear that it will not stand for this new scourge that we are finding in our country of human sex trafficking. The Justice for Victims of Trafficking Act passed the United States Senate 98-0, and it passed the House of Representatives before that with only 3 Members voting against it and all 400-plus voting for it.

Modern-day slavery does happen in the United States. It is a multibillion-dollar business. It is second only to the international narcotics trade for drug trafficking for the amount of money that is raised. It is not time for us to lower the amount of money we have for grants that will assist the victims of this scourge. That is why my amendment brings in just $17.3 million to this fund that was cut. This $17.3 million will bring it up to last year’s level so that $43 million will go for victim services and victim grants.

Where does this money come from? From where are we taking it? We are taking it out of the periodic censuses and programs and applying it to this fund.

The periodic censuses and programs—let me make it clear—is not the constitutional census counting that is required to be done by the Census Bureau. This is another program that the Census Bureau has. It is sometimes called the American Community Survey, which is very intrusive.

With which choice, it asks citizens numerous questions that are an invasion of their privacy. For example: What time do you go to work? What time do you get home from work? Does anybody in your household have a mental illness or a disease? They are questions such as these that are very intrusive. The Census Bureau shouldn’t be asking these questions.

Set aside that anyway. With this money, rather than asking people in the community—citizens—to tell us what time they go to work or what time they go during the day to different appointments, like doctors’ appointments, we should show the priority of putting just $17 million of that money back into this appropriation to help the victims of trafficking.

It will bring it up to last year’s level of a mere $43 million of grant money. That is what this legislation does. It ensures that we are telling trafficking victims that we will use money available for grants to assist them and money available for law enforcement to assist them in their training.

I reserve the balance of my time.

Mr. FATTAH. Mr. Chairman, I rise in opposition to this amendment, even though I am not in opposition.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania (Mr. FATTAH) is recognized for 5 minutes.

There was no objection.

Mr. FATTAH. Mr. Chairman, first of all, this is where you can find the contradictions of public policy with the interjection of politics, right?

I totally disagree with the underlying notion that this money is not important to the Census. First and foremost, I agree with the amendment and that we should invest in another $16 million in helping victims of human trafficking.

It is a major problem in our country—in my part of the country, in your part of the country, and throughout our Nation. We should do more, so I support the amendment.

I don’t want us to assume that the periodic census dollars are not important, however, and are not part of the constitutionally mandated census as they are part of the 2020 preparation. We will have to deal with that in some other way, but I don’t want to because I agree with the amendment. That is not to suggest that I agree with the underlying thought that this money is not important to the Census.

Mr. CULBERSON. Will the gentleman yield?

Mr. FATTAH. I yield to the gentleman from Texas.

Mr. CULBERSON. Mr. Chairman, we have a terrible problem in this country with human slavery and with human sex trafficking. My colleague from Texas is exactly right, and I strongly support his amendment.

I also share his concern about the American Community Survey, and I intend to pursue aggressive oversight during the months ahead. I do think it is intrusive. Our right to be left alone as Americans is one of our most important rights, so I share the gentleman’s concern about the American Community Survey.

We have a responsibility to make sure the Census is funded, but this is a very important amendment, and I urge my colleagues to support it to help combat this despicable scourge of human trafficking.

Mr. FATTAH. In reclaiming my time, I am glad that we are all in agreement.

I don’t want families to be left alone, though, if they have someone who is suffering from mental health illnesses.

The reason that question is asked in a community survey is so that, when we are doing funding for communities for mental health services, we know how much of the dollars can be most applied. The census is taken for a good reason, but let us agree for the moment on the amendment, and let’s move on.

I yield back the balance of my time.

Mr. POE of Texas. I thank the ranking member and I thank the chairman, as well, for their comments.

Mr. Chairman, the issue is not the American Community Survey. The issue is where we are going to get this money to bring this fund up to last year’s level. It is going to come from that portion of the Census that is about $800 million, and that is why that section was picked. We need to have this lively debate about the American Community Survey in some other setting.

Right now, let’s take care of trafficking victims in the United States and provide them grants, and let’s provide law enforcement grants and victim services grants so that they can help minor sex trafficking victims who are being trafficked throughout the United States.

I appreciate the ranking member’s support and the chairman’s support.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. Poe).

The amendment was agreed to.

The Acting CHAIR. The Clerk will read:

The Clerk read as follows:

**NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION**

**SALARIES AND EXPENSES**

For necessary expenses, as provided for by law, of the National Telecommunications and Information Administration (NTIA), $35,200,000, to remain available until Sept. 30, 2017: Provided, That, notwithstanding 31 U.S.C. 1535(d), the Secretary of Commerce shall charge Federal agencies for costs incurred in spectrum management, analysis, operations, and related services, and such fees shall be retained and used as offsetting collections for costs of such spectrum services, to remain available until expended: Provided further, That the Secretary of Commerce is authorized to retain and use as offsetting collections all funds transferred, or previously transferred, from other Government agencies for all costs incurred in telecommunications research, engineering, and related activities by the Institute for Telecommunication Sciences of NTIA, in furtherance of its assigned functions under this paragraph, and such funds received from other Government agencies shall remain available until expended.

PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING AND CONSTRUCTION

For the administration of prior-year grants, recoveries and unobligated balances as previously appropriated are available for the administration of all open grants until their expiration.
UNITED STATES PATENT AND TRADEMARK OFFICE
SALARIES AND EXPENSES (INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the United States Patent and Trademark Office (USPTO) provided for by law, including defense of suits instituted against the Under Secretary of Commerce for Intellectual Property and Director of the USPTO, $3,272,000,000, to remain available until expended: Provided, That the sum herein appropriated from the general fund shall be reduced by the amount of offsetting collections of offsetting fees and surcharges assessed and collected by the USPTO under any law are received during fiscal year 2016, so as to result in a fiscal year 2016 reduction from the general fund estimated at $0: Provided further, That during fiscal year 2016, the total amount of such offsetting collections be less than $3,272,000,000 this amount shall be reduced accordingly: Provided further, That any amount received in excess of $3,272,000,000 in fiscal year 2016 and deposited in the Patent and Trademark Fee Reserve Fund shall remain available until expended: Provided further, That the Director of USPTO shall submit a spending plan to the Committees on Appropriations of the House of Representatives and the Senate for any amounts made available by the preceding proviso and such spending plan shall be treated as programming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in such section: Provided further, That any amounts reprogrammed in accordance with the preceding proviso shall be transferred to the United States Patent and Trademark Office "Salaries and Expenses" account: Provided further, That from amounts provided herein, not to exceed $900,000 shall be made available in fiscal year 2015 for official reception and representation expenses: Provided further, That any amounts provided herein, not to exceed $900,000 shall be made available in fiscal year 2015 for official reception and representation expenses: Provided further, That in fiscal year 2016 from the amounts made available for "Salaries and Expenses" for the USPTO, the amounts necessary to pay (1) the difference between the percentage of basic pay contributed by the USPTO and employees under section 8334(a)(1) of title 5, United States Code, and the percentage (determined by section 8331(17) of title 5) as provided by the Office of Personnel Management (OPM) for USPTO’s specific use, of basic pay, of employees to subchapter B of chapter 83 of that title, and (2) the present value of the otherwise unfunded accruing costs, as determined by OPM for USPTO’s specific use, of retirement life insurance and post-retirement health benefits coverage for all USPTO employees who are enrolled in Federal Employees Health Benefits (FEHB) and Federal Employees Group Life Insurance (FEGLI), shall be transferred to the Civil Service Retirement and Disability Fund, the FEGLI Fund, and the FEHB Fund, as appropriate, and to remain available for the authorized purposes of those accounts: Provided further, That any differences between the present value factors published in OPM’s yearly 300 series report and the factors that OPM provides for USPTO’s specific use shall be recognized as an imputed cost on USPTO’s financial statements, where applicable: Provided further, That any amounts available under any other provision of law, all fees and surcharges assessed and collected by the USPTO are available for USPTO only pursuant to section 22 of the Leahy-Smith America Invents Act (Public Law 112–29): Provided further, That within the amount of $2,000,000 shall be transferred to the “Office of Inspector General” account for activities associated with carrying out investigations and audits related to the USPTO.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES (INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the National Institute of Standards and Technology (NIST), $675,000,000, to remain available until expended, of which not to exceed $5,000,000 may be transferred to the “Working Capital Fund”: Provided, That not to exceed $5,000 shall be for official reception and representation expenses: Provided further, That NIST may procure housing for summer undergraduate research fellowship program participants.

AMENDMENT OFFERED BY MS. EDDIE BERNICE JOHNSON OF TEXAS

Ms. EDDIE BERNICE JOHNSON of Texas, Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 12, line 9, after the dollar amount insert "(increased by $3,000,000)".

The Acting CHAIR. Pursuant to House Resolution 287, the gentlewoman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. EDDIE BERNICE JOHNSON of Texas, Mr. Chairman, I yield myself such time as I may consume.

My amendment is intended to ensure that the important forensic standards work at the National Institute of Standards and Technology, or NIST, is fully funded.

The criminal justice system relies on forensic science to identify and prosecute criminals and to exonerate the falsely accused. Justice is not served by either the falsely accused or the victims and their families when the wrong person is imprisoned.

In a series of investigations over the last few years, the Washington Post, the Innocence Project, and the FBI itself have reported on a flawed forensic work that may be responsible for wrongful convictions in thousands of criminal cases.

Innocent people have spent decades in prison, and our State certainly knows about many of them—my home State. And I worry that we have already been put to death while the guilty have gone free.

These investigations have covered hair analysis, bite mark analysis, and DNA, which most people previously believed to be 100 percent accurate and reliable. In short, there has been a steady stream of bad news about flawed forensic work being used in criminal court. And I worry that we are just seeing the tip of the iceberg.

In a year 2000 report, “Strengthening Forensic Science in the United States: A Path Forward,” the National Academy of Sciences found that the interpretation of forensic evidence is severely compromised by the lack of supporting science and standards.

Many forensic techniques and technologies lack a scientific foundation. Operational principles and procedures are not standardized, and there are no standard methods of collecting and recording the reporting of forensic evidence.

Since then, I have worked with colleagues in the Senate to develop legislation that would strengthen forensic science and improve the infrastructures and training. The Senate acted on that bill, which also took notice and has initiated several activities, even without direct action from Congress. The Department of Justice and NIST have become strong partners in this effort. Now, the efforts of my colleagues on Appropriations would like to gut one of these core activities, the standards development work managed by NIST.

For reasons that I cannot comprehend, the report language accompanying its track, a voluntary NIST process from continuing the voluntary consensus standards development work already underway through the forensic science area committees. These committees coordinate development of standards and guidelines for the forensic science community to improve the quality and consistency of forensic evidence used by our justice system.

These committees were established according to the longstanding and well-respected NIST process for developing voluntary consensus standards. As such, the membership of these committees represent the full breadth and depth of stakeholder organizations, including forensic science practitioners, as well as academic scientists and engineers, law enforcement, and others.

To the best of my knowledge, these committees have the support of the full range of stakeholders. Why would we want to stop, in its tracks, a voluntary consensus standards process that has proven itself effective time and time again? I can see no justifiable reason for trying to keep sound science out of the courtroom.

Mr. Chair, since the language in question is in the committee’s report rather than the bill text and will not be sufficiently addressed with this amendment, I plan to withdraw this amendment but seek the approval of both the chair and the ranking member to help correct this language as we move toward the conference report.

My colleagues, I hope, will work with the Senate to rectify this unjustified and unjust restriction.

Mr. CULBERSON. Will the gentlewoman yield?

Ms. EDDIE BERNICE JOHNSON of Texas. I yield to the gentleman from Texas.

Mr. CULBERSON. Mr. Chair, I look forward to working with my colleagues from Texas and with my colleague from Philadelphia on this matter as we move forward in the conference.

Ms. EDDIE BERNICE JOHNSON of Texas. Thank you very much, Mr. Chairman.

Mr. FAITTAH. Will the gentlewoman yield?
Ms. EDDIE BERNICE JOHNSON of Texas. I yield to the gentleman from Pennsylvania.

Mr. FAITTAH. Mr. Chair, I also would work with the gentlewoman and the chairman on this. You know, the promise of our entire judicial system is that it would rather a guilty person go free than any innocent person be in prison.

Forensic science has brought a lot to the business of better understanding actually what has taken place and to make sure we don’t have innocent people incarcerated.

Ms. EDDIE BERNICE JOHNSON of Texas. With that, I ask unanimous consent to withdraw this amendment.

The Acting CHAIR. Is there objection to the request of the gentlewoman from Texas?

There was no objection.

The Acting CHAIR. The Clerk will read.

The Clerk reads as follows:

INDUSTRIAL TECHNOLOGY SERVICES

For necessary expenses of the Hollings Manufacturing Extension Partnership of the National Institute of Standards and Technology, $130,000,000, to remain available until expended.

AMENDMENT OFFERED BY MS. ESTY

Ms. ESTY. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk reads as follows:

Page 12, line 20, after the dollar amount insert "(increased by $11,000,000)".

Page 36, line 7, after the dollar amount insert "(reduced by $31,000,000)".

The Acting CHAIR. Pursuant to the gentleman from Kentucky, the full committee chairman.

Mr. CULBERSON. Mr. Chair, I reserve the balance of my time.

Mr. ROGERS of Kentucky. I thank the gentleman for yielding.

Mr. ROGERS of Kentucky. Will the gentleman yield?

Mr. CULBERSON. I yield to the gentleman from Kentucky, the full committee chairman.

Mr. ROGERS of Kentucky. I thank the chairman for yielding.

It is no secret, Mr. Chairman, that there is a strain on our Nation’s prison system. As the inmate population continues to rise, our prisons get more and more crowded every day. As the inmate population continues to rise, with 256,000 individuals serving Federal sentences, our prisons get more and more crowded every day.

At the end of fiscal 2013—listen to this—25 percent of our medium security inmates and 85 percent of our low security inmates were triple bunked—triple bunked. Considering that 8 out of every 10 medium security inmates has a history of violence, this creates some very serious questions about the safety of the BOP staff, the public, and even other inmates. Updating our prisons with the latest technology and staff and permits staff to safely oversee more inmates.

Our medium and maximum security prisons house some of the world’s most dangerous and violent criminals. The bill before us provides critical funding to the Federal Bureau of Prisons in order to modernize and strengthen our Nation’s prison infrastructure. These funds will help protect the public as well as the men and women who work at these facilities. It is imperative that we provide them a safe and secure environment within which to work.

The Federal Government has a commitment to keep the public and prison staff safe, and these dollars are needed to fulfill that commitment. So I oppose this effort to reduce funding for the Bureau of Prisons and urge my colleagues to vote “no” on this amendment.

Mr. CULBERSON. Mr. Chair, I rise in opposition to the amendment.

Mr. CULBERSON. Mr. Chair, I rise in opposition to the amendment because our Federal prison system is already between 30 and 50 percent overcrowded. We have not built a new prison in the United States since 2009. It is vitally important that we have got these prisons in place to keep our most dangerous criminal offenders off the streets.

The amendment that the gentlewoman has offered would immediately prevent the Bureau of Prisons from expanding its capacity and do severe damage to their ability to reduce overcrowding, which is a threat to the staff, a threat to the inmates, and a threat to the public.

The gentlewoman’s amendment—I understand it is concerned—to support the Manufacturing Extension program, we cannot do so at the expense of public safety.

Mr. ROGERS of Kentucky. Will the gentleman yield?

Mr. CULBERSON. I yield to the gentleman from Kentucky, the full committee chairman.

Mr. ROGERS of Kentucky. I thank the chairman for yielding.

I have asked the gentlewoman and the gentleman from Texas to provide only 1½ minutes remaining.
Mr. FATTAH. Will the gentlewoman yield?

Ms. ESTY. I yield to the gentleman from Pennsylvania.

Mr. FATTAH. Mr. Chairman, let me just say that I rise in support of the amendment, and I think this shows the bigger picture here if the country has to choose between promoting manufacturing and whether or not we can safely operate the world’s largest prison system. We incarcerate more people than any other country in the rest of the world on a per capita basis. We need to be employing more people in manufacturing. This makes sense. I support the gentlewoman’s amendment.

Ms. ESTY. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Connecticut (Ms. Esty).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. ESTY. 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 gentlewoman from Connecticut will be postponed.

The Clerk will read.

The Clerk reads as follows:

CONSTRUCTION OF NEW RESEARCH FACILITIES
For construction of new research facilities, including architectural and engineering design, and for renovation and maintenance of existing facilities, not otherwise provided for in the National Institute of Standards and Technology, as authorized by sections 13 through 15 of the National Institute of Standards and Technology Act (15 U.S.C. 276c–276e), $50,000,000, to remain available until expended: Provided, That the Secretary of Commerce shall include in the budget justification materials that the Secretary submits with the support of the Department of Commerce budget (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) an estimate of the budget justification materials that shall include an estimate of the budgetary requirements for each such project for each of the 5 subsequent fiscal years.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
OPERATIONS, RESEARCH, AND FACILITIES
(INCLUDING TRANSFER OF FUNDS)
For necessary expenses of activities authorized by law for the National Oceanic and Atmospheric Administration, including maintenance, operation, and hire of aircraft and vessels; grants, contracts, or other payments and donations to nonprofit organizations for the purposes of conducting activities pursuant to cooperative agreements; and relocation of facilities, $3,147,877,000, to remain available until September 30, 2017, except that funds provided for construction and renovation of aircraft, vessels, maintenance, operation, and hire of aircraft and vessels shall remain available until September 30, 2018: Provided, That fees and donations received by the National Ocean Service for the management of marine sanctuaries may be retained and used for the salaries and expenses associated with those activities, not-withstanding section 3302 of title 31, United States Code: Provided further, That in addition, $310,164,000 shall be derived by transfer from the fund entitled “Promote and Develop Fisheries Research, Permitting to American Fisheries,” which shall only be used for fishery activities related to the Saltonstall-Kennedy Grant Program, Cooperative Research, National Stock Assessments, Survey and Monitoring Projects, Interjurisdictional Fisheries Grants, and Fish Information Networks: Provided further, That of the $326,541,000 provided for in direct obligations under this heading $3,147,877,000 is appropriated from the general fund, $130,164,000 is provided by transfer, and $196,377,000 is derived by deobligation of prior year obligations: Provided further, That the total amount available for National Oceanic and Atmospheric Administration corporate services administrative support costs shall not exceed $208,100,000: Provided further, That any deviation from the amounts designated for specific activities in the report accompanying this Act, or any use of deobligated balances of funds provided under this heading in previous years, shall be subject to the procedures set forth in section 505 of this Act: Provided further, That in addition, for necessary retired pay expenses under the Retired Serviceman’s Family Protection and Survivor Benefits Plan, and for payments for the medical care of retired personnel and their dependents under the Dependents Medical Care Act (10 U.S.C. 55), such sums as may be necessary.

AMENDMENT OFFERED BY MR. AUSTIN SCOTT OF GEORGIA
Mr. AUSTIN SCOTT of Georgia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk reads as follows:

Page 14, line 1, after the dollar amount, insert “(reduced by $300,000)”.

Page 98, line 20, after the dollar amount, insert “(increase by $200,000)”.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Georgia and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. AUSTIN SCOTT of Georgia. Mr. Chairman, I would like to take a minute to tell you how we got here.

As someone who fished in the Gulf of Mexico long before I got elected to Congress, when they started reducing the snapper season back in 2007, we had approximately 190 days to fish as the recreational angler. They have now taken that down to 10 days.

Through the Gulf councils, the National Marine Fisheries Service has worked through the councils to reduce the American recreational fisherman’s opportunity to fish for red snapper in the Gulf of Mexico percent since 2007. At the same time, they have increased quotas and allocations for the commercial sector. And most recently through the Gulf council, they cast a vote, 7–10, to split the recreational sector, and they gave the for-hire recreational sector 45 days and the for-hire 10 days.

Now, let me just explain what that means to you. It means that if you want to just take your family fishing, you have 10 days to do it. If you want to go in the other 35 days of that recreational season, you have to pay a charter boat captain to take you out.

What happened with the council is that the members of the council had a vested interest in the charter boat industry that they did not disclose prior to the vote, even though Federal law required that they do it. Then, they turned around and cast that vote which people then paid them, which, again, was illegal.

I appreciate the committee working in the money for more data in an effort to get the recreational season back for the not-for-hire recreational angler, but to be honest with you, if you give them all the data in the world, no matter what it says, if they continue to conduct themselves in that manner, it won’t matter. They will simply allocate themselves more fish.

I am with the gentleman; Mr. Chairman, I reserve the balance of my time.

Mr. CULBERSON. Mr. Chairman, I claim time in opposition, but I am not opposed.

The Acting CHAIR. Without objection, the gentleman from Texas is recognized for 5 minutes.

There was no objection.

Mr. CULBERSON. I understand the gentleman is going to withdraw his amendment, and he has identified a serious problem that he has brought to our attention that I want to work with my ranking member on.

I understand that it sounds to me like we have got a clear violation of Federal law involved here, and I am very distressed to hear of this reduction. It is a 95 percent reduction in the time available to individual Americans to fish, which is a very important part of the way that we live and make a living in the Gulf of Mexico who go out and fish for red snapper.

I am very concerned to hear about this failure to disclose the conflict of interest, and I would like to work with my colleague from Pennsylvania to help rectify this and make sure that the law not only is obeyed, but the agency is responsive to the needs of private fisherman. I would like to work with my colleague from Philadelphia on this.

I reserve the balance of my time.

Mr. AUSTIN SCOTT of Georgia. Mr. Chairman, let me say that I thank the chairman and ranking member. This is something that needs to be rectified. If an illegal action was taken, it needs to be reversed.

Based on your commitment to work with us on this amendment at this time, I look forward to having those discussions, and I ask unanimous consent to withdraw.

The Acting CHAIR. Is there objection to the request of the gentleman from Georgia?

There was no objection.

AMENDMENT OFFERED BY MR. BLUMENAUER
Mr. BLUMENAUER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.
June 2, 2015
CONGRESSIONAL RECORD—HOUSE

The Clerk read as follows:
Page 14, lines 1, 18, and 19, after each dollar amount, insert "(reduced by $60,760,000) (increased by $60,760,000)".

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Oregon and a Member opposed each statement 5 minutes.

The Chair recognizes the gentleman from Oregon.
Mr. BLUMENAUER. Mr. Chairman, I yield myself 2 minutes.

Mr. BLUMENAUER. This is the first time in this bill for NOAA’s climate research is shamefully inadequate and puts at risk efforts to mitigate and respond to the impacts of climate change. It cuts NOAA’s climate research by $30 million relative to the current fiscal year’s inadequate level and is $61 million below the President’s request. I am offering an amendment to restore the funding to the President’s level.

All across America, we are dealing with the impacts of climate change. Extreme weather events, whether it is the recent floods in Texas, or the persistent 4-year drought in California, are regular events. They claim lives and cost billions of dollars each year. Floods, droughts, superstorms, wildfires, heat waves, and sea level rise are all made worse as a result of climate change.

We are no longer talking just about preparing for the future. It is happening now. And the evidence is clear as we go from one extreme weather event to another that it is getting worse.

NOAA climate research funds atmospheric and oceanic research, cooperative institutes, universities, climate research laboratories, and others that will advance climate science and enable better decisionmaking and better policies to make our communities more resilient.

It makes no sense to defund programs that will help us prepare for extreme weather events; mitigate the impacts of such events; prevent the loss of human life, infrastructure, and property; and better predict these occurrences.

Choosing to deny climate change does not stop it from happening, and failing to study and authorize these programs will not make the problem go away. In fact, it will only make us more vulnerable and hurt our ability to prepare for and respond to the impacts of climate change.

I reserve the balance of my time.

Mr. CULBERSON. Mr. Chairman, I claim the time in opposition.

Mr. CULBERSON. The National Oceanic and Atmospheric Administration has a record level of funding in this bill for weather forecasting, which is where they need to focus their work: predicting the future and telling American farmers, American workers, American industry, and the American people what the future holds. What does the next week, the next month, or hurricane season hold for the people of the Gulf of Mexico or the Atlantic Coast?

So, in an era of scarce resources we have funded NOAA with a record level of funding for weather forecasting. We have made sure they have got all the money they need for maritime safety and for forecasting and monitoring America’s fisheries.

We have made sure in this bill that NOAA is focusing on their core function, and that is looking to the future. That is, of course, going to involve looking at climate. But over the past several years climate funding within NOAA has received more than adequate funding, and we have to use the scarce, very precious, hard-earned taxpayer dollars that we are entrusted to appropriately very carefully. We have to prioritize that funding, and within this bill, we have chosen to prioritize weather forecasting.

I respect the gentleman’s judgment but would ask him if he could withdraw the amendment, and I look forward to working with him to ensure that NOAA has got everything they need to accurately predict the weather in the future.

I reserve the balance of my time.

Mr. BLUMENAUER. Mr. Chairman, I yield 1 minute to the gentleman from Virginia (Mr. BEYER).

Mr. BEYER. Mr. Chairman, I rise to support the Blumenauer amendment.

In business, we are always fighting the short-term giving away to the short term, the important giving away to the urgent and the immediate.

I am deeply disappointed that this budget for climate research has been cut by $30 million. Now is not the time to cut climate research.

From the floods in Houston to the drought in California, shifts in climate over the next few decades will cost American companies and American communities billions of dollars. NOAA has the ability to do advanced forecasting predictions certainly for weather- and for ocean-related phenomena, but they also have it for climate short- and long-term change. This ability is crucial to support the future of our businesses, coastal cities, and environmental health.

This Congress has repeatedly affirmed that climate change is real. We may not have much about the cause of climate change and certainly what we can do to combat it, but it makes no sense to slash the very research which will enable us to find effective, bipartisan solutions.

We must robustly fund climate science research, and I urge my colleagues to support this amendment.

Mr. BLUMENAUER. Mr. Chairman, I understand the gentleman is going to withdraw the amendment, and I continue to reserve the balance of my time.

Mr. BLUMENAUER. I yield 1 minute to the gentleman from Pennsylvania (Mr. FATTAH).

Mr. FATTAH. In this bill there are three cuts: at NASA on the Earth Science program, the cut to the National Science Foundation in terms of the ability to focus on geosciences, and the issue that is raised by my great friend from Oregon, and they combine to make the point that there is not yet a consensus in one place. Even though there is a consensus in the scientific community, the majority still is not yet clear that climate is something that we need to focus on.

I urge support for the Blumenauer amendment.

Mr. BLUMENAUER. Mr. Chairman, I respect my friend from Texas. I appreciate his willingness to work with me and his notion of putting more resources in forecasting, but that is not the issue here.

What we need to be doing is having a robust effort at NOAA to be able to deal comprehensively with climate, being able to deal with how we help communities be more resilient, how we are able to deal with the forces that are down upon us to help the scientific basis be able to be able to encourage this Congress to step up and do its job.

I reserve the balance of my time.

Mr. BLUMENAUER. Mr. Chairman, could the gentleman be more specific about what it is he is asking NOAA to do?

Mr. BLUMENAUER. It is our ability to provide reliable, long-term drought forecasts, projections of regional drought indicators, and issues dealing with the prediction of what happens in terms of flood research and performance of climate and weather models.

This is not simply a matter of predicting next week’s weather. This is dealing with long-term consequences and helping communities deal with the impact of climate change and being able to understand it better.

Mr. Chairman, this is an entirely self-imposed constraint from my Republican friends. They have passed hundreds of billions of dollars of unfunded tax cuts out of committee. There is more than adequate money.

Because the budget is so hopelessly inadequate, I ask unanimous consent to withdraw my amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Oregon?

There was no objection.

AMENDMENT OFFERED BY MR. GUINTA

Mr. GUINTA. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:
Page 14, line 1, after the dollar amount, insert "(reduced by $70,000,000) (increased by $70,000,000)".

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from New Hampshire and a Member opposed each statement 5 minutes.

The Chair recognizes the gentleman from New Hampshire.
Mr. GUINTA. Mr. Chairman, I plan to withdraw this amendment, but I would like the opportunity to briefly explain.
Mr. CULBERSON. Mr. Chairman, I claim the time in opposition. The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes. Mr. CULBERSON. Mr. Chairman, I rise in opposition to the amendment. We have, as I said earlier, scarce resources this year. We have to prioritize the very precious and scarce hard-earned taxpayers dollars that we are entrusted to look after, and we have prioritized funding within NOAA for forecasting in the future.

As I was telling Mr. BLUMENAUER earlier, Mr. POLIS, we have made sure that NOAA has got a record level of funding for weather forecasting and most of the things that Mr. BLUMENAUER was mentioning, in terms of forecasting drought, identifying where floods are going to occur. Looking forward, we have made sure that NOAA’s got all the money they need for forecasting in the future, and we have to, I think, do everything we can to avoid cutting other parts of NOAA that would impair the weather forecasting or the development, maintenance, and operation of the weather satellites which could help NOAA inform people of severe weather.

We, on the Gulf Coast in particular and on the Atlantic Coast as well, depend on NOAA to give forecasts of the paths of hurricanes. Hurricane season this year, they are predicting—because of the increase in computing power of supercomputers, they are able to predict it looks like it is going to be—the hurricane season this year is not going to be as severe.

That capacity of NOAA to use supercomputing power to look that far into the future is of vital importance, so we have made sure that they have got a record level of funding for forecasting.

We also do not want to reduce NOAA’s capacity to support maritime navigation or to appropriately manage their fisheries. We just have limited resources, is the problem, Mr. POLIS; and I just have had to prioritize NOAA’s funding.

We have put weather forecasting at the top of the list because of its vital importance for the economy and for the safety and security of the American people.

I understand you are planning to withdraw the amendment, and I would certainly look forward to working with you. As Mr. BLUMENAUER mentioned a number of worthwhile endeavors that NOAA is engaged in, if you feel there are any that you need to work a little harder on to get NOAA focused on to do a better job of forecasting in the future or other concerns, I would be happy to work with you.

Mr. POLIS. Will the gentleman yield?

Mr. CULBERSON. I yield to the gentleman from Colorado if he would like to engage in a colloquy.
Mr. POLIS. I would like to emphasize the importance of climate science with regard to predicting weather. The more we know about climate and climate patterns, the more it enhances our ability to predict short-term weather phenomena, a disproportionate cut to the climate science piece hampers our ability to anticipate weather patterns as well.

Mr. CULBERSON. I look forward to working with you as we move forward in this understanding and you are planning to withdraw the amendment.

Mr. POLIS. I have additional speakers.

Mr. CULBERSON. Mr. Chairman, I reserve the balance of my time.

Mr. POLIS. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania (Mr. BRENDAN F. BOYLE).

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Chairman, I think one of the most compelling things about this budget proposal is, without question, the proposal to cut $30 million to NOAA. That represents an approximately 20 percent cut, as my colleague from Colorado was pointing out. Mr. Chairman, I find it interesting that those who would deny the science of climate change often like to say, "Well, the jury is still out, we need more research." Yet here we are, with a budget that will cut that very research.

Mr. CHAIRMAN. Just a couple of years ago, in my house in Philadelphia, we were riding out a hurricane. Hurricane Sandy ended up breaking Superstorm Sandy. We never imagined that, in Philadelphia, we would be experiencing the kind of hurricane that typically is experienced by Florida and the Gulf Coast States.

As even a Republican Governor said at the time, it seems as if the storm of the century is now happening once every couple of years.

Mr. Chairman, we desperately need this research. We need this funding. Let's restore NOAA funding.

Mr. CULBERSON. I am still trying to identify why precisely you are asking for because I think we are on the same page when it comes to forecasting and prediction. That is what you are asking for.

Mr. POLIS. Will the gentleman yield?

Mr. CULBERSON. I yield to the gentleman from Colorado.

Mr. POLIS. I wanted to inquire with regard to how the funding cuts would impact development of the unmanned atmospheric assessment aircrafts that are critical to foreseeing changes in weather pattern.

Mr. CULBERSON. If I could, we are going to make sure that NOAA has got all the tools to do the task. We can increase their research, their forecasting, and make sure we have got accurate forecasting. Whether it be through their aircraft or their supercomputers or their modeling, they have got the resources they need to do accurate forecasting for the future.

I am just trying to get a precise idea what is it you are looking for because I think we have given them all they need for forecasting, and that is what you are asking for.

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

Mr. POLIS. Mr. Chairman, very specifically, this amendment would restore the $30 million of cuts—namely, a 20 percent cut—a disproportionate cut to climate science activities, including unmanned atmospheric assessment aircrafts and including creating raw data streams that can be used by those who predict weather, as well as by farmers and businesses, because you can't separate out weather and climate.

I think, perhaps because of political reasons—I don't know why—there is a disproportionate cut, 20 percent, to the climate science piece of NOAA. Now, that climate science piece of NOAA, just because it has the word "climate" in it, that doesn't mean it is something that is specific to forecasting. Where they are out there doing things that are political.

What they are doing is they are trying to research the macro effects of climate on weather, on population and patterns, on dangers on ships. If the gentleman is concerned about growth and discretion within NOAA, undo the 20 percent cut, we fund that within NOAA. We are not, nor can we, under the budget, seek new money. We are simply taking the $30 million and putting it back into the climate science program.

Mr. CULBERSON. Will the gentleman yield?

Mr. POLIS. I yield to the gentleman from Texas.

Mr. CULBERSON. Thank you for yielding because I have just checked with my staff, and it appears that the money that we have allocated, a record level of funding for NOAA's forecasting, takes care of that aircraft. The money that we have allocated for NOAA for forecasting takes care of the data stream.

That is why I kept asking what are you all specifically asking for. We have taken $30 million out of it, and I am deeply concerned with making sure that NOAA has got the money they need to predict hurricanes, to predict floods, to predict the terrible flooding that has taken place in Houston or the drought that has taken place in California.

I think we are on the same page. I want to be sure the gentleman knows that I will work with him as we move forward in conference. If you can identify something specific that NOAA does not have as a result of our record increase for forecasting, we will help you restore it.

Mr. POLIS. Reclaiming my time, one of the areas that we would love to work with you on is Cooperative Institutes funding, the partnerships that NOAA has with our institutions of higher education to better leverage our taxpayer dollars.

I reserve the balance of my time.

The Acting CHAIR. The time of the gentleman has expired.

Mr. POLIS. Mr. Chairman, I ask unanimous consent to withdraw this amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Colorado?

There was no objection.

AMENDMENT OFFERED BY MR. SMITH OF TEXAS

Mr. SMITH of Texas. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 14, line 1, after the dollar amount, insert "(reduced by $21,000,000)" (increased by $21,000,000).

Page 14, line 24, after the dollar amount, insert "(reduced by $21,000,000)".

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. SMITH of Texas. Mr. Chairman, my amendment takes direct, strong action to address America's weather forecasting shortcomings in order to reduce the loss of life and property from severe storms.

The amendment I offer on behalf of myself; Science, Space, and Technology Committee Vice Chairman FRANK LUCAS; and Environment Subcommittee Chairman JIM BRIDENSTINE directs that the full $120 million authorized in House-passed H.R. 1561, the Weather Research and Forecasting Innovation Act of 2015, be provided in the NOAA Operations, Research, and Facilities appropriations account.

The recent flooding in Texas and tornados in Oklahoma demonstrate the immediate need to quickly implement better weather research and forecasting by fully funding H.R. 1561.

The House unanimously passed that bill just 2 weeks ago. We also unanimously passed it over a year ago in April 2014.

Now, thanks to Chairman CULBERSON's initiative and support, the CJS bill will add the needed resources to transform our antiquated 1980s weather forecasting system into a 21st century weather enterprise in the next few years.

Specifically, this amendment will provide $5 million more for weather lab research in NOAA, to total the $80 million authorized. The amendment will also provide $16 million more for weather research technology transfer in NOAA's Office of Oceanic and Atmospheric Research, to total $20 million authorized to implement a labs and Cooperative Institutes research-to-operations program.

This program will improve the understanding of how the public responds to warnings and transfer new technology to the National Weather Service, the American weather industry, and the academic partners.

This new joint Technology Transfer Initiative should include support for the vortex-SE project and development of globally applicable high cloud resolving models; quantitative observing system assessment tools; atmospheric chemistry needed for weather
prediction; and additional sources of weather data, which includes commercial observing systems.

Once again, I appreciate Chairman CULBERSON’s accepting the amendment, which will help save lives and reduce property damage.

As the CJIS Appropriations chairman, Mr. CULBERSON has proved himself to be capable, knowledgeable, and committed to the country's best interest.

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

Mr. FATTAH. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. Does the gentleman from Texas seek to rise in opposition?

Mr. CULBERSON. Well, I would like to seek some time in opposition, but I do not oppose the amendment. We have agreed to accept it and work this out.

The Acting CHAIR. Is the gentleman from Pennsylvania opposed?

Mr. FATTAH. I am authentically opposed to the amendment, but I would also make an allowance to yield to my chairman after I make my comments.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. CULBERSON. I would like to thank Chairman SMITH for his leadership on this important amendment as well as Chairman CULBERSON. I thank them for working with us on this issue. I know we have been working very hard to make sure that this is adequately funded and from the right sources.

By fully funding the weather research and technology transfer that was authorized by my bill, H.R. 1561, this appropriations bill now reflects the House’s will that NOAA prioritize activities that save lives and property.

The funding will go to support critical work to increase the lead times that we receive for tornadoes. A lot of this critical work is being done at the University of Oklahoma. I have heard already that we were looking for more funding for some Cooperative Institutes, and that is what this is.

This is of extreme importance to my State, as I have already lost constituents this year from tornadoes. It is my sincere belief that this appropriations bill now ensures that programs are funded that will eventually move us to a day where no one is killed in a tornado or other severe storm event.

Again, I thank Chairman CULBERSON and Chairman SMITH for their leadership on this issue. We need to adopt this amendment so that we can save lives and property, especially as it relates to my constituents in Oklahoma.

Mr. FATTAH. I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Chairman, I yield back the balance of my time.

The amendment was agreed to.

AMENDMENT OFFERED BY MR. KEATING

Mr. KEATING. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 14, line 1, after the dollar amount, insert “(reduced by $1,750,000)" (increased by $1,750,000)."

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Massachusetts and a Member opposed each will control 5 minutes. The Chair recognizes the gentleman from Massachusetts.

Mr. KEATING. Mr. Chairman, I am prepared to offer and withdraw my amendment.

I rise for the purpose of engaging in a colloquy with the gentleman and the gentlewoman from Maine.

Since 1972, the National Marine Fisheries Service has utilized trained fishery observers to monitor and assess the health of fish populations along the coast of this United States, providing critical data gathered from commercial vessels that is then used to guide NOAA in determining best practices for conservation and sustainable management.

The fishing industry is a willing and engaged partner in supporting the use of on-vessel observers. However, following a legal challenge, this August, NOAA will run out of funding to continue paying for this mandated program.

I have heard from fishermen from the south coast of Massachusetts, to Cape Cod and the islands, to the south shore who are still struggling from the impacts of diminishing groundfish stocks and worry they will be unable to cover the increase in this cost.

Our region is still reeling from the collapse of the groundfish industry that prompted Federal disaster relief. This is particularly true for some small fishing businesses, where this added burden can be the difference between success and failure as a business.

I am working with my New England and Massachusetts colleagues and NOAA to find an interim solution. And as we look to 2016, I ask that we work to provide adequate funding for at-sea and dockside monitoring for fisheries with approved catch share management plans that impose observer coverage as a condition for new and expanded fishing opportunities. We also cannot consider this time. I believe, to seek cost-effective technological alternatives, where appropriate.

I yield such time as she may consume to the gentlewoman from Maine (Ms. PINGREE).

Ms. PINGREE. Thank you, Mr. Chairman. I yield back such time as she may consume to the gentleman from Maine (Ms. PINGREE).
ways to conduct monitoring through the use of onboard cameras or other cost-effective electronic technologies. I hope the chairman will be willing to work with us on this and with NOAA on this issue that affects so many of our hardworking constituents.

Mr. KEATING. Mr. Chairman, I would like to take this time to thank the chair and ranking member for their willingness to engage in what really is an important issue. I look forward to working together with Chairman CULBERSON and Ranking Member FATTAH on this issue.

Mr. CULBERSON. Will the gentleman yield?

Mr. KEATING. I yield to the gentleman from Texas.

Mr. CULBERSON. Mr. Chairman, I look forward to working with the gentleman from Massachusetts. I recognize how important the Northeast Multispecies Sector Management Program is to the gentleman and my colleague from Philadelphia as we move forward through conference.

Mr. FATTAH. We are going to work to get to a more satisfactory resolution.

Mr. KEATING. I thank the ranking member and the chair.

Mr. Chairman, at this time, I ask unanimous consent to withdraw this amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

AMENDMENT OFFERED BY MR. CLAWSON OF FLORIDA

Mr. CLAWSON of Florida. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk reads as follows:

Page 14, line 1, after the dollar amount, insert "(increased by $2,000,000)".

Page 25, line 3, after the dollar amount insert "(increased by $2,000,000)".

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Florida and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. CLAWSON of Florida. Mr. Chairman, this afternoon I am introducing an amendment which would take $2 million from the Department of Justice’s legal activities, salaries and expenses, general legal activities current budget of $2 billion, which has been flat over the last several years, and I would put this $2 million, instead, to NOAA in their operations, research, and facilities fund—specifically directed to NOAA’s National Marine Fisheries Service Habitat Conservation and Restoration initiative.

This nationwide initiative includes hundreds of community-based habitat restoration projects that conserve or restore America’s precious native species and critical water quality restoration.

This amendment is consistent with the focus of my office to cut government spending and motivate our civil servant management teams to achieve higher cost efficiencies throughout the Federal Government and to focus more on critical environmental priorities. In short, less administration expense; more money for water, fish, and atmosphere.

Back in April, I introduced an amendment to H.R. 2028, the Energy and Water Development and Related Agencies Appropriations Act, with Representative PATRICK MURPHY of Florida that would move $1 million of the Army Corps of Engineers’ salary and expense budget to construction projects in the Corps, like the South Florida Ecosystem Restoration and the Herbert Hoover Dike.

This amendment today likewise will help fund critical habitat projects across America, including important work in my district, like the Galt Preserve Restoration Project in St. James City; the Clam Bayou Oyster Reef Restoration of Sarasota and Manatee Counties and Water Quality on Sanibel Island; the Ding Darling Mangrove Restoration Project on Sanibel Island; Florida’s Bay Scallop Metapopulation Stabilization at Pine Island Center; the Mangrove Conservation Initiative, in Everglades, Naples; and the Sam Williams Island Mangrove Restoration and Tarpon Bay Hydrologic Restoration on Marco Island.

Habitat restoration plays an important role in our communities and in the lives and welfare of our constituents, especially mine. America’s ecosystem is the lifeblood of so many of our American communities, economies, and culture. Let’s do everything we can to preserve it.

Fisheries contribute more than $70 billion to the gross domestic product. Nationwide, commercial and recreational fishing, boating, tourism, and other industries provide more than $28 billion in economic benefits. Coastal water shed counties contribute more than $4.5 trillion to the GDP. An estimated 53 percent of the current population live in coastal communities. More than 60 percent of our coastal rivers and bays are moderately or severely degraded by nutrient runoff. This was my original reason for getting into politics. We live with this nutrient runoff in my district, in my backyard, every day. It looks bad. It smells bad. It is a pitiful situation.

One added fact: according to NOAA’s studies, 17 to 33 jobs are created for every $1 million invested in habitat restoration.

I say today, let’s save a little bit of money, save a lot of jobs. It is good economics. It is good policy. It is good conservation. And I urge both sides to support it.

I reserve the balance of my time.

Mr. CULBERSON. Mr. Chairman, I claim the time in opposition, but I do not oppose the amendment.

The Acting CHAIR. Without objection, the gentleman from Texas is recognized for 5 minutes.

There was no objection.

Mr. CULBERSON. Mr. Chairman, I rise in support of the gentleman’s amendment. It is a worthwhile cause and one that we have worked together closely on. So I would urge Members to support the amendment. I look forward to working with you as we move through conference to make sure this is addressed. It is a problem throughout the Gulf Coast and one you are very right to focus Congress’ attention on.

I urge Members to support the amendment.

Mr. FATTAH. Will the gentleman yield?

Mr. CULBERSON. I yield to the gentleman from Pennsylvania.

Mr. FATTAH. Mr. Chairman, I also rise in support of the gentleman’s amendment.

Mr. CULBERSON. I yield back the balance of my time.

Mr. CLAWSON of Florida. I would like to thank the chair and the ranking member for their leadership on this. This is a big deal in the Gulf. My appreciation is heartfelt for them making this move and showing this symbol of importance. So in the name of all my constituents, I thank both of them for their leadership and support on this.

I yield back the balance of my time.

The Acting CHAIR. The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. CLAWSON).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MS. BONAMICI

Ms. BONAMICI. Mr. Chairman, I have amendment No. 4 at the desk.

The Acting CHAIR. The Acting CHAIR. The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 14, line 1, after the dollar amount, insert "(increased by $21,559,000)" (increased by $21,559,000)".

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Oregon and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oregon.

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

Mr. Chairman, I rise in support of this amendment to increase funding for the National Oceanic and Atmospheric Administration, NOAA, to support its Integrated Ocean Acidification research and fulfill the administration’s requested funding level of $30 million in fiscal year 2016.

The administration’s requested funding increase for ocean acidification research reflects a growing consensus in the scientific community and in the coastal and fishing communities that so many of our colleagues and I represent—ocean acidification is already affecting marine organisms and could irreversibly alter the marine environment and harm our coastal ecosystems.
On the West Coast alone, a $270 million shellfish industry has experienced disastrous oyster production failures and faced the risk of collapse in recent years because of changes in water conditions that have been attributed to ocean acidification. This change in chemistry has been caused by carbon dioxide in the atmosphere dissolving into the ocean, and the increased acidity of the ocean is harming basic building blocks for life in the sea. This makes it more difficult for marine organisms to build their shells and ribs, and it sterilitizes the formation of important ecosystem features like coral reefs. These changes can ripple through the food chain, disrupting delicate marine ecosystems and threatening major commercial fisheries.

In the Pacific Northwest, the combination of seasonal upwelling of acidic, low alkalinity waters, and increased anthropogenic carbon dioxide creates some of the most corrosive ocean conditions in the world.

In the last few years, Mr. Chairman, the scientific community has increasingly raised concerns about the ocean. Researchers at Oregon State University have been working with the fishing community in Oregon to determine the effects of acidification. They have been helping the shellfish hatcheries assess the oyster die-off and finding ways to mitigate the harmful upwelling events by monitoring the water entering their facilities. This exemplifies the type of academic and industry partnerships that are possible when the Federal Government supports academic research.

NOAA’s Integrated Ocean Acidification research program supports extramural research awards that fund studies on acidification in ocean, coastal, and estuary environments. Not only does this program support studies on the effects of acidification, it also allows NOAA to run the observing system to help monitor areas of increased acidity.

These examples have focused on the effects in Oregon and on the West Coast, but our changing ocean conditions can have far-reaching implications for fisheries throughout the U.S., including the East Coast and Gulf shellfish industries. It also affects the people across the Nation who eat seafood and the stores and restaurants that sell it.

Mr. Chairman, it is clear that we need more information, which is why NOAA’s Integrated Ocean Acidification research program must be fully funded. Unfortunately, this bill falls short of what the American people and our fishing communities deserve.

I urge support of the amendment, and reserve the balance of my time.

Mr. CULBERSON. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. I understand the gentlewoman is going to withdraw this amendment.

I agree with the gentlewoman that ocean acidification is a serious problem. That is why you see funding in the bill for it. We just have a limited amount of resources.

I will listen to your other speakers, and reserve the balance of my time.

Ms. BONAMICI. Mr. Chairman, can I please inquire about the remaining time?

The Acting CHAIR. The gentlewoman from Oregon has 2 minutes remaining.

Mr. FARR. I wish the chairman was accepting this amendment because the faults that we hear are that we have limited resources. We have limited resources, but it is a priority where you give them. This ocean acidification is a serious problem. It is the most serious problem of mankind that we can do something about. When the ocean is starting to melt all the shellfish, the lobster industry, the crab industry, the oyster industry, and the clam industry, all of these industries have a huge effect on not only where they are farming, but where the tourism that is attracted to these industries.

Mr. Chairman, we can do something about it. We need more money. The President asked for $30 million in this program. The committee cut it to $9.4 million, says he is funding it. However, the President asked for $110 million more than the President asked for. So don’t tell me that there isn’t money available. It is just the priority where you give it.

Are you going to save this planet or put all the money into the moon of Jupiter? I think it is more important that we research ocean acidification, and that is why DEFCO no and I are introducing a bill to tackle this problem more than just this amendment in this moment.

Mr. Chairman, we have to get serious about this. The planet is melting, and the ocean acidification is melting the organisms in the ocean; and when they die, we die.

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

Mr. Chairman, I would point out to my colleagues we have $8.5 million in the bill for studying ocean acidification. I share your concern. It is a vitally important issue. And the thrust of our work in NASA, as you know from reading the bill, is we have prioritized those missions in the bill that are the top priority of the Planetary Decadal Survey.

We have encouraged NASA to follow the recommendations of the best minds in the scientific community. Every 10 years they get together and prioritize the earth science missions, heliophysics missions, astrophysics missions, those missions aimed at the outer planets, and the Europe mission has been the single highest priority of the Decadal Survey last decade and this decade. The past administration and this one continue to resist the best recommendations of the best minds in the scientific community. I can’t think of a more important reason that science could answer as to whether or not there is life on another world, and that is going to be answered by this mission to Europa.

I agree strongly that we need to research ocean acidification, and that is why there is $8.5 million in the bill for it.

Mr. FATTAH. Will the gentleman yield?

Mr. CULBERSON. I yield to the gentleman from Pennsylvania.

Mr. FATTAH. Even though I am in a totally opposite position on the matter than you.

Mr. CULBERSON. I am happy to engage in a colloquy with my friend from Pennsylvania.

Mr. FATTAH. We have an Earth in which the majority of it is covered by oceans. As a nation, we have more responsibility territorially for the world’s oceans than any other nation. You agree that this is a major issue. It is funded at a level that we think should be increased. I hope that the chairman will work with us as we go forward to see whether we can improve and make even more robust our stewardship, which is our responsibility, as I would understand it. Even though there are other areas in the bill where we have made important sacrifices, maybe this is an area where we can do more.

Mr. CULBERSON. It is one in which I look forward to working with you on to do more to research ocean acidification. That is why you see in the bill a major investment in oceanographic mapping and research, the economic zone of the United States which is unoccupied and uncharted and loaded with rare earths and great mineral wealth that Dr. Bob Ballard and his team and other scientists are exploring, and we are investing there.

I look forward to working with you in conference.

Mr. FATTAH. Mr. Chairman, we will work together on this. This is a very important area of interest for me, and I thank the gentlewoman for offering her amendment.

Mr. CULBERSON. Mr. Chairman, I reserve the balance of my time.

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

Mr. Chairman, as I mentioned, I do plan to withdraw this amendment. I do plan to withdraw this amendment, because of the excitement of the issue of this in addressing it. I do contend that the amount in this bill is inadequate. So I do look forward to working with the committee chairman, the ranking member, and the committee to move forward to address this very important issue.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.
The Acting CHAIR. Is there objection to the request of the gentlewoman from Oregon?

There was no objection.

The Acting CHAIR. The request is granted.

The Clerk reads as follows:

**PROCUREMENT, ACQUISITION AND CONSTRUCTION**

(INCLUDING TRANSFER OF FUNDS)

For procurement, acquisition and construction of capital assets, including alteration and modification costs, of the National Oceanic and Atmospheric Administration, $1,960,034,000, to remain available until September 30, 2018, except that funds provided for construction of facilities shall remain available until expended: Provided, That of the $1,973,034,000 provided for in direct obligations under this heading, $1,960,034,000 is appropriated from the general fund and $13,000,000 is provided from recoveries of prior year obligations: Provided further, That any deviation from the amounts designated for specific activities in the report accompanying this Act, or any use of deobligated balances of funds provided under this heading in previous years, shall be subject to the procedures set forth in section 305 of this Act: Provided further, That the Secretary of Commerce shall include in budget justification materials that the Secretary submits to Congress in support of the Department of Commerce budget (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) an estimate for each National Oceanic and Atmospheric Administration, acquisition or construction project having a total of more than $5,000,000 and simultaneously the budget justification shall include an estimate of the benchmarks for each such project for each of the 5 subsequent fiscal years: Provided further, That, within the amounts appropriated, $1,302,000 shall be transferred to the “Office of Inspector General” account for activities associated with carrying out investigations and audits related to satellite procurement, acquisition and construction.

**AMENDMENT OFFERED BY MR. BRIDENSTINE**

Mr. BRIDENSTINE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk reads as follows:

Page 15, line 16, after the dollar amount, insert “(reduced by $9,000,000) (increased by $9,000,000)”.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Oklahoma and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oklahoma.

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

Mr. Chairman, my amendment designates $9 million within NOAA’s Procurement, Acquisition, and Construction account for the purposes of funding a pilot program for space-based commercial weather data as authorized by H.R. 1561, the House-passed Lucas-Bridenstine Weather Research and Forecasting Act of 2015.

Although I intend to withdraw my amendment, I intend to use this time to enter into a colloquy with the gentleman from Texas.

Mr. Chairman, the commercial satellite industry has revolutionized everyday life. From telecommunications to imaging to navigation, we reap the benefits of private sector innovation. I truly believe we have that opportunity when it comes to weather satellites as well. By introducing newer, more innovative, more resilient and additional forms of weather data, we can improve our ability to forecast weather and save the lives of our constituents.

By providing NOAA with the funds to purchase commercial data, it sends a clear signal to our burgeoning commercial weather satellite industry: NOAA is interested in commercial data from the private sector. This pilot program has the potential to shift paradigms within our weather enterprise and serve as the first step toward moving to a day where the government does not have a monopoly on weather satellites.

NOAA operates huge, monolithic, billion-dollar satellite programs that have experienced cost overruns and launch delays. These programs are important to ensuring we have robust weather data, but we need a mitigation strategy when problems arise, a role that commercial sources can play. In addition, they can augment our programs of record, and for a fraction of the cost. In fact, to fully fund this program, NOAA would only need to find the equivalent of one dime out of a $20 bill.

Mr. Chairman, I believe, in the long run, purchasing data from the private sector will lead to lower costs for the taxpayers, as well as better data, more data, and more innovation. However, I understand the constraints that the gentleman from Texas is under when crafting this appropriations bill, and I appreciate his willingness to work with me on this issue. The question I pose to him is: Does the gentleman intend to have NOAA provide $9 million from within its Procurement, Acquisition, and Construction appropriation for NESDIS Systems Acquisition to carry out this pilot program in fiscal year 2016 as is authorized by H.R. 1561?

Mr. CULBERSON. Will the gentleman yield?

Mr. BRIDENSTINE. I yield to the gentleman from Texas.

Mr. CULBERSON. I agree completely with the gentleman that NOAA should work with the private sector when weather data is available. It is cost effective and can save the taxpayers money, and, in fact, that is why we included a statement on this in the committee report. I look forward to working with you as we move forward in conference to ensure that this worthwhile goal is achieved.

Mr. BRIDENSTINE. I thank the chairman. I look forward to working together with you and with NOAA to ensure that congressional intent is clear and to make this critically important pilot reality. I appreciate your leadership and assistance on this issue.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

**AMENDMENT NO. 5 OFFERED BY MS. BONAMICI**

Ms. BONAMICI. Mr. Chairman, I have an amendment No. 5 at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 15, lines 16, 19, and 20, after the dollar amount insert “(increased by $380,000,000)”.

Mr. CULBERSON. Mr. Chairman, I reserve a point of order on the gentlewoman’s amendment.

The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 287, the gentlewoman from Oregon and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Oregon.

Ms. BONAMICI. Mr. Chairman, I rise in support of this amendment to ensure the continuity of NOAA’s polar satellite program by restoring its funding. There are many important priorities in this bill, but the technical nature of this satellite program and its value to our Nation are being overlooked.

The importance of these satellites and the need to maintain the information they collect is not daily news, but the accurate, timely data the satellites provide to our weather forecasters is crucial. This data is needed not only for our weather forecasters, but also for the wide-ranging accessibility to everyone in our Nation, from those who hear a weather forecast on the local news to the millions across the Nation who open up an app on their phones. Weather is important. It affects everything from our commute to the food on our table. In fact, a 2009 study from the American Meteorological Society stated that U.S. weather forecasts generate $31.5 billion in benefits for $5.1 billion in cost.

Unfortunately, past trouble and mismanagement in the polar satellite program means that a gap in coverage within the next decade is possible, with the worst-case scenario being a gap lasting more than 5 years. Any loss of coverage from the polar satellites would have serious consequences on the accuracy and timeliness of our weather forecasts, warnings, and the capabilities of the National Weather Service.

Thankfully, NOAA and NASA have worked very hard to get the polar satellite program back on track. Unfortunately, the bill we are considering today has the potential to undermine that progress. The President’s fiscal year 2016 budget request included $380 million for a polar follow-on program. This important program will minimize the risk of a gap in polar weather data, and address a recommendation from various independent groups, including the Government Accountability Office,
regarding the need to develop a robust satellite program, a program that can withstand a launch failure.

By not funding the polar follow-on program in 2016, the continuity for the polar weather mission is put at risk and the Nation will be exposed to the vulnerabilities and impacts of a potential gap.

Mr. Chairman, working families in my district and across the country are balancing enough already. They need to rely on accurate and timely forecast of the weather report about a gap or where the weather data comes from. We need this program to continue so we do not lose the gains we have made. Americans deserve to have access to the best available scientific data.

Mr. Chairman, unfortunately, the funding levels in this bill are stretched so thin that it is impossible for me to find more than $300 million to provide an offset. So I do ask the subcommittee chair and ranking member to work with me on ways that we can find to present and maintain this essential program.

At this time, Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The Acting CHAIR. Is there objection to the request of the gentlewoman from Oregon?

There was no objection.

The Acting CHAIR. The Clerk will now read.

The Clerk reads as follows:

Pacific Coastal Salmon Recovery

For necessary expenses associated with the restoration of Pacific salmon populations, $65,000,000, to remain available until September 30, 2017: Provided, That, of the funds provided herein, the Secretary of Commerce may issue grants to the States of Washington, Oregon, Idaho, Nevada, California, and Alaska, and to the Federally recognized tribes of the Columbia River and Pacific Coast (including Alaska), for projects necessary for conservation of salmon and steelhead populations that are listed as threatened or endangered, or that are identified by a State as at-risk to be so listed, for maintaining populations necessary for exercise of tribal treaty fishing rights or native subsistence fishing, or for conservation of Pacific coastal salmon and steelhead habitat, based on guidelines to be developed by the Secretary of Commerce: Provided further, That all funds shall be allocated based on scientific and other merit principles and shall not be available for marketing activities: Provided further, That funds disbursed to States, the Columbia River Treaty, or to the States of Washington, Oregon, Idaho, Nevada, California, and Alaska, and to the Federally recognized tribes of the Columbia River and Pacific Coast shall be subject to a matching requirement of funds or documented in-kind contributions of at least 33 percent of the Federal funds.

Fishermen’s Contingency Fund

For necessary expenses associated with the provisions of title IV of Public Law 95–372, not to exceed $350,000, to be derived from receipts collected pursuant to that Act, to remain available until expended.

Fisheries Finance Program Account

Subject to section 502 of the Congressional Budget Act of 1974, during fiscal year 2016, obligations of direct loans may not exceed $24,989,000 for Individual Fishing Quota loans and not to exceed $24,000,000 for direct loans as authorized by the Merchant Marine Act of 1936.

Departmental Management

Salaries and Expenses

For necessary expenses for the management of the Department of Commerce provided for by law, including not to exceed $4,500 for official reception and representation, $50,000,000.

Renovation and Modernization

For necessary expenses for the renovation and modernization of the Herbert C. Hoover Building, $3,989,000, to remain available until expended for facilities improvements as authorized by the Economic Opportunity Act of 1970, for security systems and $2,907,000 shall be for blast-resistant windows.

Office of Inspector General


General Provisions—Department of Commerce

(INCLUDING TRANSFERS OF FUNDS)

Section 101. During the current fiscal year, applicable appropriations and funds made available to the Department of Commerce by this Act shall be available for the activities specified in the Act of October 25, 1949 (15 U.S.C. 375), as amended by the S.C.1993-1994, prescribed by the Act, and, notwithstanding section 31 U.S.C. 3324, may be used for advanced payrolls and operating expenses paid only upon the certification of officials designated by the Secretary of Commerce that such payments are in the public interest.

Section 102. During the current fiscal year, appropriations made available to the Department of Commerce by this Act for salaries and expenses shall be available for hire of passenger motor vehicles as authorized by section 31 U.S.C. 1343 and 1344; services as authorized by section 5 U.S.C. 3109; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902).

Section 103. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Commerce in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: Provided, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation or expenditure except in accordance with the act which appropriated such funds: Provided further, That the Secretary of Commerce shall notify the Committees on Appropriations at least 15 days in advance of any such transfer: Provided further, That the Secretary of Commerce Appropriations Act, 2016: Provided further, That the Federal Government in carrying out the provisions of this Act shall be available for the activities specified in the Act of October 25, 1949 (15 U.S.C. 375), as amended by the S.C.1993-1994, prescribed by the Act, and, notwithstanding section 31 U.S.C. 3324, may be used for advanced payrolls and operating expenses paid only upon the certification of officials designated by the Secretary of Commerce that such payments are in the public interest.

Section 104. The requirements set forth by section 105 of the Commerce, Science, and Related Agencies Appropriations Act, 2016 (Public Law 113–235), as amended by section 611 of the National Defense Authorization Act for Fiscal Year 2017 (P.L. 114–92), shall be increased by more than 10 percent by any such transfers: Provided, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation or expenditure except in accordance with the act which appropriated such funds: Provided further, That the requirement of funds or documented in-kind contributions of at least 33 percent of the Federal funds.

Section 105. The requirements set forth by section 106 of the Commerce, Science, and Related Agencies Appropriations Act, 2016 (Public Law 113–235), as amended by section 611 of the National Defense Authorization Act for Fiscal Year 2017 (P.L. 114–92), shall be increased by more than 10 percent by any such transfers: Provided, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation or expenditure except in accordance with the act which appropriated such funds: Provided further, That the Secretary of Commerce shall notify the Committees on Appropriations at least 15 days in advance of any such transfer: Provided further, That the Secretary of Commerce shall not charge any customer for a copy of any report or document generated by the Legislative Branch unless the Service has provided information to the customer on how an electronic copy of such report or document may be accessed and downloaded for free online. Should a customer still require the Service to provide a paper or digital copy of such document, the charge shall be limited to recovering the Service’s cost of processing, reproducing, and delivering such report or document.

Section 106. Nothing in this title shall be construed to prevent a grant recipient from deterring child pornography, copyright infringement, or any other unlawful activity over its networks.

Section 107. The Administrator of the National Oceanic and Atmospheric Administration is authorized to use, with their consent, with reimbursement and subject to the limits of available appropriations, the land, services, equipment, personnel, and facilities of any department, agency, or instrumentality of the United States, or of any State, local government, Indian tribal government, Territory, or possession, or political subdivision thereof, or of any foreign government or international organization, for purposes related to carrying out the responsibilities of that statute or the National Oceanic and Atmospheric Administration.

Section 108. The National Technical Information Service shall not charge any customer for a copy of any report or document generated by the Legislative Branch unless the Service has provided information to the customer on how an electronic copy of such report or document may be accessed and downloaded for free online. Should a customer still require the Service to provide a paper or digital copy of such document, the charge shall be limited to recovering the Service’s cost of processing, reproducing, and delivering such report or document.

Section 109. The Secretary of Commerce may waive the requirement for bonds under 40 U.S.C. 3131 with respect to contracts for the construction, alteration, or repair of vessels, regardless of the terms of the contracts as to payment or title, when the contract is made under the Coast and Geodetic Survey Act of 1947 (33 U.S.C. 882a et seq.).

Section 110. In fiscal year 2016, the National Institute of Standards and Technology may use unobligated balances from the National Institute of Standards and Technology—Industrial Technology Services” account for the purposes of and subject to the limitations in section 404(c) of the National Institute of Standards and Technology Act (15 U.S.C. 278v(e)(2)). This title may be cited as the “Department of Commerce Appropriations Act, 2016”.

Title II

Department of Justice

General Administration

Salaries and Expenses

For necessary expenses for the administration of the Department of Justice, $105,000,000, of which not to exceed $4,000,000 for security and construction of Department of Justice facilities shall remain available until expended.

Amendment offered by Mr. McKinley

Mr. McKinley. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will now report the amendment.

The Clerk reads as follows:

Page 23, line 6, insert after the dollar amount the following: “(decreased by $2,000,000)”
Page 72, line 1, insert after the dollar amount the following: "(increased by $2,000,000)".

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Pennsylvania, Mr. MURPHY, a Member opposed each will control 5 minutes.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. MURPHY). The Acting CHAIR. The Clerk will read as follows:

Page 23, line 6, insert after the dollar amount the following: "(decreased by $2,000,000)"

Page 42, line 24, insert after the dollar amount the following: "(increased by $2,000,000)"

Page 44, line 8, insert after the dollar amount the following: "(increased by $2,000,000)"

The Acting CHAIR. Pursuant to House Resolution 287, the gentlwoman from New Mexico and a Member opposed each will control 5 minutes.

The Acting CHAIR. The Acting CHAIR. The Acting CHAIR.

Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Acting CHAIR. The Acting CHAIR.

Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. Chairman, I claim the time in opposition, although I am not supposed to the gentlewoman’s amendment because it is a good amendment and I support it.

The Acting CHAIR. Without objection, the gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON, At this time, I yield to the gentleman from Pennsylvania (Mr. MURPHY), my good friend and colleague.

Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. Chairman, I have an amendment at the desk. I urge my colleagues to support this amendment, and I reserve the balance of my time.

Mr. CULBERSON. Mr. Chairman, I claim the time in opposition, although I am not supposed to the gentleman’s amendment because it is a good amendment and I support it.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania (Mr. MURPHY), my good friend and colleague.

Mr. MURPHY of Pennsylvania. I thank the Chairman, and I also thank Representative GRISHAM for this thoughtful amendment we are working on together, which will put $2 million towards crisis intervention training for State and local law enforcement and also work towards substance abuse treatment and mental health courts.

In the 1950s, this country had 550,000 psychiatric hospital beds for the population of 150 million. Now, with a population twice that size, we only have 40,000 psychiatric hospital beds.

So what happened? Some people got better. But sadly, what we ended up with is huge increases in homelessness and visits to emergency rooms. Last year in this country there were 40,000 suicides and 1 million suicide attempts.

With this critical bed shortage we have many people who end up committing crimes. Of the 2.4 million incarcerated Americans, about half of them, according to the U.S. Department of Justice, are estimated to have a mental health condition. That is 64 percent in our county and local jails, 56 percent in State, and 45 percent of Federal prisons. Many of the prisons are only 35,000 patients with severe mental illness in State psychiatric hospitals.

And, according to a report from April 2014, the number of mentally ill persons in prison is ten times higher than those in psychiatric hospitals.

The largest jails in the country—Cook County in Illinois, Los Angeles, and New York—have 11,000 prisoners combined with serious mental illness. Now, that is over twice as large as the three largest State-run mental hospitals.

Mentally ill inmates are twice as likely to be charged with rule violations when incarcerated and actually...
remain in prison four times longer than a non-mentally ill person with the same original crime. And what happens then? Solitary confinement, tasered. Then when they are discharged, they repeat the cycle in the revolving door. Why do we need things like, it is not illegal to be crazy. Our courts and systems that do not understand mental illness continue to say that, but to them I say it isn’t just an issue of someone has a right to be mentally ill; they have a right to be well.

What we need to do is to stop this revolving door of having someone who is hallucinating and delusional and waiting until he commits a crime or is a threat to public safety, instead of intervening earlier.

We need mental health courts, we need ways a policeman can intervene early, and we need evidence-based initiatives to fix our broken mental health system in America. I know that, in our own court in Allegheny County, they saw a nearly 38 percent reduction in recidivism when they used mental health courts.

This is compassion, and this is the right thing to do. I urge my colleagues to support this amendment.

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Chairman, I yield 2 minutes to the gentleman from Oregon (Mr. BLUMENTHAUER).

Mr. BLUMENTHAUER. I appreciate the gentlewoman’s courtesy and her leadership on this, and I appreciate my good friend from Pennsylvania in his eloquence in his tireless championship in this area.

Mr. Chairman, the fact is that we have a broken system that does not meet the needs of people with mental illness, and it places an undue burden on law enforcement. His words about people having a right to be well really resonates with me because we have seen in all of our communities situations that escalate because they don’t have the proper response—we don’t have the proper training; we don’t have the proper resources—where people get worse.

It is not just that it costs more money; it is the pain to the individuals, to their families, and, ultimately, since virtually all of these people are released but are released in a more damaged situation, they are worse. They are a greater risk to themselves and society, and the cycle continues.

There is no doubt in my mind that, if we were able to properly account for the costs and consequences of the current system, we would see a far more resources saved in treating them humanly and effectively, giving the police and the community the resources they need that will more than pay for itself. This is an important step for the Federal Government to be a better partner.

I appreciate the gentlewoman’s leadership. I appreciate my friend Mr. MURPHY from Pennsylvania, and I am looking forward to working with him on other items.

I respectfully request that our colleagues not just support this, but take it to heart because we can make a difference on so many different levels.

Mr. Chairman, I support the amendment, and I would encourage Members to support it if you would be willing to request a recorded vote on this.

Mr. FATTAH. Will the gentleman yield?

Mr. CULBERSON. I yield to the gentleman from Pennsylvania.

Mr. FATTAH. On behalf of our country, I attended the Healthy Brain: Healthy Europe conference in Ireland. The estimate in these 28 EU countries was that some 36 percent of the population had some type of mental health challenge, and they deal with it much more openly and without the stigma that sometimes we attach here in our country to mental health challenges.

I want to thank my colleague from Pennsylvania for his extraordinary leadership on this issue, and I thank the gentlewoman for offering this.

We will support this amendment and ask for a recorded vote.

Mr. CULBERSON. Mr. Chairman, I encourage Members to support the amendment, and I yield back the balance of my time.

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Chairman, I want to thank my colleagues for working so diligently on this very important improvement to public safety and police training, and I encourage all Members to vote in favor of this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from New Mexico (Ms. MICHELLE LUJAN GRISHAM).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. CULBERSON. 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 gentlewoman from New Mexico will be postponed.

The Acting CHAIR. The Committee will rise informally.

The Speaker pro tempore (Mr. HOLDING) assumed the chair.

MESSAGE FROM THE SENATE

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

H.R. 2048. An act to reform the authorities of the Federal Government to ensure the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes.

The SPEAKER pro tempore. The Committee will resume its sitting.

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

The Committee resumed its sitting.

AMENDMENT OFFERED BY MR. GOSAR

Mr. GOSAR. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 23, line 6, insert after the dollar amount the following: “(reduced by $2,209,500)”.

Page 24, line 14, insert after the first dollar amount the following: “(increased by $1,709,000)”.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Arizona and a Member opposed each will control 5 minutes.

Mr. GOSAR. Mr. Chairman, I rise today to offer an amendment which seeks to bolster funds for the Department of Justice inspector general in order to meet the fiscal year 2016 budget request.

As a member of the House Oversight and Government Reform Committee, I am a firm believer in the proper oversight of the Federal Government. The more sunlight on Federal activity, the more honest and efficient it will be.

I am also a strong proponent of our inspector general community. Since the Inspector General General Act was passed into law, the IG community has saved taxpayers billions of dollars and has uncovered countless examples of wrongdoing in the Federal Government.

It seems only fitting that the inspector general’s office receive the budget requested resources, particularly at the expense of the office it will likely need to investigate first.

In the committee report, the committee noted, “The DOJ OIG has had significant investigative and audit workload.” In fact, we have seen numerous scandals and coverups from within this agency and at the recommendation of the previous Attorney General.

I applaud the committee for including language in this bill to permanently prohibit funds for Fast and Furious-like programs and for the many other reforms contained in this legislation, but I do believe more needs to be done to ensure additional transparency and accountability within the DOJ.

Let’s give the DOJ OIG the resources it needs to investigate the agency and to ensure the Justice Department adheres to the law.

I reserve the balance of my time.
Mr. CULBERSON. Mr. Chairman, I claim the time in opposition, but I do not oppose the amendment.

The Acting CHAIR. Without objection, the gentleman from Texas is recognized for 5 minutes.

There was no objection.

Mr. CULBERSON. Mr. Chairman, I agree very strongly with the gentleman in that the inspector general's office does superb work. It is an independent agency whose oversight is crucial.

The amendment will certainly improve oversight and ensure that our constituents' hard-earned tax dollars are well spent. I would urge Members to support the gentleman from Arizona's amendment.

I yield back the balance of my time.

Mr. GOSAR. I thank the chairman and the ranking member for their support.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GOSAR).

The amendment was agreed to.

AMENDMENT OFFERED BY MS. BROWNLEY OF CALIFORNIA

Ms. BROWNLEY of California. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. Pursuant to the authority of the Chair, I am here to announce that I have received an amendment from Ms. BROWNLEY of California. The amendment seeks to accomplish. It is our obligation to ensure our veterans receive the appropriate attention to their needs and that we do whatever we can to help them transition to an independent civilian life.

I strongly urge my colleagues to support my amendment to provide veterans who are in trouble with the resources they need to help them secure a strong future.

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

Mr. FATTAH. Mr. Chairman, I rise in opposition even though I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

My simple amendment would increase funds for Veterans Treatment Courts by $2.5 million. Veterans Treatment Courts are designed to give veterans with mental health and substance abuse issues and who find themselves in trouble with the law an opportunity to get the help they need while avoiding jail time.

In my district, the Ventura County Veterans Treatment Court, which started as a pilot program in 2010, has helped dozens of veterans. Judge Colleen W. Will, one of the program's many champions in Ventura County, knows that the treatment courts unite families and save lives.

Rather than arresting and jailing veterans for a few days or weeks and then putting them back on the streets with nothing changed in their lives, the Ventura County collaborative court connects veterans to needed treatment and services, which may include mental health care, drug and alcohol treatment, vocational rehabilitation, or other life skill services and programs.

The process begins with a guilty plea, an in-court meeting involving the veteran, his or her attorney, and a VA representative.

I was very impressed with the care that the court officers and volunteers extended to our veterans who found themselves before the court. A recent success for the Ventura County Veterans Treatment Court is a young man who was an Active Duty marine.

Before leaving the service in 2014, he had completed three combat tours in 12 years. He was arrested for two DUIs within 3 weeks. After 5 months of treatment, he still stands with his back against the wall rather than taking a seat in court. It is a common sign in combat veterans, but he is now getting evaluated by VA, is going to treatment, and has hope once again.

Since that time, the Veterans Treatment Court program began in 2008 in Buffalo, New York, over 220 Veterans Treatment Courts have been established across the United States, and many more are being planned.

I believe we need to increase Federal resources to these critical programs nationwide, which is what my amendment seeks to accomplish. It is our obligation to ensure our veterans receive the appropriate attention to their needs and that we do whatever we can to help them transition to an independent civilian life.

I have my own experience with this. I know, in Houston, some of the best work is being done at the University of Texas, at the Center for BrainHealth in Dallas, and your work is very, very important.

Mr. CULBERSON. Mr. Chairman, I rise to offer an amendment to H.R. 2578, which would increase Federal resources to these critical programs nationwide, which is what my amendment seeks to accomplish. It is our obligation to ensure our veterans receive the appropriate attention to their needs and that we do whatever we can to help them transition to an independent civilian life.

I strongly urge my colleagues to support my amendment to provide veterans who are in trouble with the resources they need to help them secure a strong future.

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

Mr. FATTAH. Mr. Chairman, I rise in opposition even though I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. FATTAH. Mr. Chairman, I ask unanimous consent that we modify the amendment and, rather than strike line 12 on page 46, strike line 11, insert "(increased by $2,500,000)".

The Acting CHAIR. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FATTAH. Mr. Chairman, I have visited the Intrepid Center over in Bethesda. We have been working with our veterans on post-traumatic stress. I know, in Houston, some of the best work is being done at the University of Texas, at the Center for BrainHealth in Dallas, and your work is very, very important.

I had my own experience with this. I had a young man, Bill Cooper, who on his last day in Iraq went out on patrol, and he was the victim of an IED. Some 50 operations later, he ended up working for me in my district offices.

Mr. CULBERSON. Will the gentleman yield?

Mr. FATTAH. I yield to the gentleman from California.

Mr. CULBERSON. Mr. Chairman, I thank the gentleman for yielding and would join in supporting the gentleman's amendment. The veterans courts do great work. I support the gentleman's amendment and urge Members to support it.

Mr. FATTAH. Mr. Chairman, I should report to the House that Bill Cooper got married, just had a new son, and got his graduate degree on the GI bill that we passed. He is just another example of what can happen for our veterans when we take care of them.

I thank the gentleman from California, and I yield back the balance of my time.

Ms. BROWNLEY of California. Mr. Chairman, I appreciate very, very much the chairman accepting my amendment. I appreciate his support,
and I know veterans across the country will as well. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment, as modified, offered by the gentleman from California (Ms. Brownley).

The amendment, as modified, was agreed to.

AMENDMENT OFFERED BY MR. MACARTHUR

Mr. MACARTHUR. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR (Mr. WOODWARD). Pursuant to House Resolution 287, the gentleman from New Jersey (Mr. ARTHUR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

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

Mr. Chairman, I rise to offer an amendment to H.R. 2578 along with the gentlewoman from North Carolina (Ms. Adams), who unfortunately was called away on an emergency and can’t be here to speak with me.

The Violence Against Women Act has been an important step—a critical step, really—in ending the scourge of violence against women, and the elderly abuse grant program has been an important part of that. It funds training and services to end abuse of women in later life. The question is how much funding is necessary for this.

The National Network to End Domestic Violence suggests that that number is $9 million per year, and this Congress previously authorized $9 million. Unfortunately, we can’t afford that right now, and so we have to settle for something less. The President’s budget, however, sets the amount at less than half, and that is simply not enough.

My amendment would increase that amount to $5.2 million, which is $1 million over the President’s request and $750,000 over the current mark. We would do so by moving $750,000 from the Department of Justice administration account.

Mr. Chairman, the elderly abuse grant program has successfully helped many older women escape neglect, abuse, and exploitation taking many forms. Our elderly population is growing, and we simply believe we need a little more funding to make this program handle the growing population. ALMA ADAMS from North Carolina and I have cosponsored the amendment because of the Republican or Democratic issue; this is a very human issue. I ask my colleagues to support it.

I reserve the balance of my time.

Mr. CULBERSON. Mr. Chairman, I claim the time in opposition but do not oppose the amendment and would, in fact, encourage Members to support it.

The Acting CHAIR. Without objection, the gentleman from Texas is recognized for 5 minutes.

There was no objection.

Mr. FATTAH. Will the gentleman yield?

Mr. CULBERSON. I yield to the gentleman from Pennsylvania.

Mr. FATTAH. Mr. Chairman, I would agree with the chairman and his wisdom, and I would also ask my colleagues to support it. I have no objection.

Mr. CULBERSON. I urge Members to support it. It is a good program and appreciate very much the gentleman bringing this to the floor today and urge Members to vote “yes.”

I yield back the balance of my time.

Mr. MACARTHUR. Mr. Chairman, I want to thank both the chairman and the ranking member for their support. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from North Carolina (Mr. MACARTHUR).

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

JUSTICE INFORMATION SHARING TECHNOLOGY (INCLUDING TRANSFER OF FUNDS)

For necessary expenses for information sharing technology, including planning, development, deployment and departmental direction, $25,822,000, to remain available until expended: Provided, That the Attorney General may transfer up to $35,400,000 to this account, from funds available to the Department of Justice for information technology, to remain available until expended, for enterprise-wide information technology initiatives: Provided further, That the transfer authority in the preceding proviso is in addition to any other transfer authority contained in this Act.

ADMINISTRATIVE REVIEW AND APPEALS (INCLUDING TRANSFER OF FUNDS)

For expenses necessary for the administration of pardon and clemency petitions and immigration-related activities, $26,791,000, of which $4,000,000 shall be derived by transfer from the Executive Office for Immigration Review fees deposited in the “Immigration Examinations Fee” account: Provided, That under this heading of the amount available for the Executive Office for Immigration Review, not to exceed $15,000,000 shall remain available for legal assistance, not to exceed $1 million, specifically targeting the Deputy Attorney General’s Office. I will continue to seek similar amendments until the Attorney General decides to enforce the Federal criminal immigration laws on the books.

This amendment is very similar to an amendment that passed this body last year in relation to the DOJ’s lack of enforcement of Federal marijuana laws and was offered by my friend and colleague Congressman FLEMING. My amendment reduces Department of Justice’s general operating account by $1 million, specifically targeting the Deputy Attorney General’s Office. In 2014, the Department of Justice instructed the U.S. Attorney’s Office in some States to no longer prosecute persons who violate certain criminal immigration laws. I have heard firsthand from law enforcement in my district that such actions have placed unnecessary burdens on these officers, increased costs, put local communities at
If the White House doesn’t get it, they will learn it throughout the year under the new chairman of the CJS Subcommittee.

Mr. GOSAR. I thank the chairman for his support, and I ask all my colleagues to vote for this bill.

Mr. FATTAH. I yield back the balance of my time.

Mr. GOSAR. I yield back the balance of my time as well.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GOSAR). The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. FATTAH. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings on the amendment further proceeded on the amendment offered by the gentleman from Arizona will be postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

An amendment by Mr. MCLINTOCK of California.

An amendment by Ms. Esty of Connecticut.

An amendment by Ms. LULIAN GRISHAM of New Mexico.

An amendment by Mr. GOSAR of Arizona.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. MCLINTOCK

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. MCLINTOCK) on which further proceedings were postponed, and on which the names printed by voice vote are:

Mr. MCLINTOCK of California.

Mr. MCLINTOCK. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. MCLINTOCK) on which further proceedings were postponed, and on which the names printed by voice vote are:

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 154, noes 263, not voting 15, as follows:

[Roll No. 270]

AYES—154

Allen

Bucshon

Amash

Bucy

Bach

Byrne

Barr

Carter (GA)

Bart

Coffin

Bilirakis

Coffman

Bishop (MI)

Collins (GA)

Bishop (UT)

Collins (GA)

Black

Canonwy

Blackburn

Cooke

Blum

Cramer

Brat

DeSantis

Brittenstein

Drew/Paris

Brouke (AL)

Dubey

Brooks (IN)

Duncan (SC)

Buck

Elm (NC)

Buckman

Elmers (NC)

Hardy

Hartzler

Hensley

Hill

Holding

Huckeck

Huelseg (MI)

Hurlgen

Hurt (VA)

Jenkins (KS)

Johnson (OH)

Johnson, Sam

Jones

Jordan

Kearns (IA)

Knight

Lakeland

Lamborn

Latta

Long

Longlender

Love

Lummis

Marchant

Massie

McCarthy

McClintock

Meehan

Messer

Miller (FL)

Miller (MI)

Moore (AR)

Mooney (WV)

Mulhall

Mullin

Munsey

Neugaeber

Nugent

Oberstar

Palmer

Pearce

Perry

Pitigero

Pitts

Poe (TX)

Pompeo

Price, Tom

Ratcliffe

Robb

Rice (SC)

Roby

Robuhra

Rokita

Rooney (FL)

Ross

Rothus

Rouzer

Royce

Russell

Reed (WI)

Reyna

Salmon

Sanford

Scalise

Schweikert

Scott, Austin

Sensenbrenner

Sessions

Smith (MO)

Smith (NE)

Stewart

Stutzman

Tibbens

Tipton

Upton

Wagner

Walberg

Walker

Walorski

Watters, Mimi

Weber (TX)

Webster (FL)

Wenstrup

Westerman

Westmoreland

Williams

Wilson (SC)

Wittman

Woodall

Yoder

Yorks

Young (IN)

Zeldin

Zinke

NOES—263

DelBene

Dent

Deschaul

Deutsch

Diaz-Balart

Dingell

Doggett

Dold

Donovan

Doyle, Michael

Larmat

Larsen

Larsen (WA)

Lawrence

Levin

Lewis

Lien, Ted

Lipinski

Loeheack

Lentz

Lentzmenk

Lujan Grisham (NM)

Lujan, Ben Ray (NM)

Lynch

MacArthur

Maloney

Maloney, Sean

Marino

Massey

Mast

McCaul

McCollum

McDermott

McGovern

McHenry

Mckinley

McKinley

McNerney

Mecskis

Meng

Mica

Moore

Moulton

Morgan (FL)

Murphy (PA)

Nadler

Napolitano

Neal

Newhouse

Noad

Nolan

Norton

O’Rourke

Pallone

Palazzo

Pallone

Pascarell

Pascarell

Pascarell

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Mr. KELLY of Pennsylvania, Ms. HAHN, Mr. COSTELLO of Pennsylvania, Mrs. NOEM, Messrs. KEATING, LEWIS, and CASTRO of Texas changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Connecticut (Ms. ESTY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk redesignate the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 213, noes 214, not voting 5, as follows:

[Table of Votes]

Mr. ROHRABACHER and JORDAN changed their vote from “aye” to “no.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MS. MICHELLE LUJAN GRISHAM OF NEW MEXICO

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from New Mexico (Ms. MICHELLE LUJAN GRISHAM) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk redesignate the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote was ordered.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 417, noes 10, not voting 5, as follows:

[Table of Votes]
Mr. WALKER changed his vote from "aye" to "no."

MESSRS. WESTMORELAND and JOYCE changed their vote from "no" to "aye."

So the amendment was agreed to. The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. GOSAR

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. Gosar) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment. The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A record vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—aye 228, noes 198, not voting 6, as follows:

AYES—228

[Roll No. 273]

AYES—228

[Roll No. 273]
CONGRESSIONAL RECORD — HOUSE
June 2, 2015

Mr. NEWHOUSE, from the Committee on Rules, submitted a privileged report (Rept. No. 114–136) on the resolution (H. Res. 288) providing for consideration of the bill (H.R. 2290) to reauthorize the Commodity Futures Trading Commission, to better protect futures customers, to provide end-users with market certainty, to make basic reforms to ensure transparency and accountability at the Commission, to help farmers and ranchers manage risks, to help keep consumer costs low, and for other purposes, which was referred to the House Calendar and ordered to be printed.

COMMERCe, SCIENCE, AND RELATED AGENCIES APPRopriATIONS ACT, 2016

The SPEAKER pro tempore. Pursuant to House Resolution 287 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. 2578. Will the gentleman from Georgia (Mr. WESTMORELAND) kindly resume the chair.

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 further consideration of the bill (H.R. 2578) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes, with Mr. WESTMORELAND (as Chairman) in the Chair. The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, an amendment offered by the gentleman from Arizona (Mr. GOSAR) had been disposed of, and the bill had been read through page 25, line 20.

The Clerk read as follows:

In addition, for reimbursement of expenses of the Department of Justice associated with processing claims under National Childhood Vaccine Injury Act of 1986, not to exceed $3,000,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

SALARIES AND EXPENSES, ANTITRUST DIVISION

For expenses necessary for the enforcement of antitrust and kindred laws, $162,246,000, to remain available until expended: Provided, That notwithstanding any other provision of law, fees collected for purposes of the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18a), regardless of the amount appropriated, not to exceed $7,200 shall be available for official representation and reimbursement: Provided further, That not to exceed $25,000,000 shall remain available until expended: Provided further, That each United States Attorney shall establish or participate in a task force on human trafficking.

UNITED STATES TRUSTEE SYSTEM FUND

For necessary expenses of the United States Trustees Program, as authorized, $225,908,000, to remain available until expended and to be derived from the United States Trustee System Fund: Provided, That, notwithstanding any other provision of law, deposits to the Fund shall be available in such amounts as may be necessary to pay refunds due depositors: Provided further, That, notwithstanding any other provision of law, $162,000,000 of offsetting collections pursuant to section 588a(b) of title 28, United States Code, shall be retained and used for necessary expenses in this appropriation and shall remain available until expended: Provided further, That the sum herein appropriated from the Fund shall be reduced as such offsetting collections are received during fiscal year 2016, so as to result in a final fiscal year 2016 appropriation from the Fund estimated at $63,908,000.

SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT COMMISSION

For fees and expenses of witnesses, for expenses of contracts for the procurement and supervision of expert witnesses, for private counsel expenses, including advances, and for expenses of foreign counsel, $270,000,000, to remain available until expended, of which not to exceed $16,000,000 is for construction of buildings for protected witness safesites; not to exceed $3,000,000,000 is for the purchase and maintenance of armored and other vehicles for witness security caravans; and not to exceed $13,000,000 is for the purchase, installation, maintenance, and upgrade of secure telecommunications equipment and an automated information network to store and retrieve the identities and locations of protected witnesses: Provided, That amounts made available under this Act may not be transferred pursuant to section 205 of this Act.

SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE (INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Community Relations Service, $13,000,000: Provided, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that the appropriation may not be transferred to the Community Relations Service, and to related agencies, for the fiscal year ending September 30, 2016, and for other purposes, as necessary, be available for the purpose of furnishing additional funding for conflict resolution and violence prevention activities of the Community Relations Service.

UNITED STATES MARSHALS SERVICE

SALARIES AND EXPENSES

For necessary expenses of the United States Marshals Service, $1,220,000,000, of which not to exceed $6,000 shall be available for
for official reception and representation expenses, and not to exceed $15,000,000 shall remain available until expended.

CONSTRUCTION

For construction in space controlled, occupied or utilized by the United States Marshals Service, for prisoner holding and related support, $11,000,000, to remain available until expended.

FEDERAL PRISONER DETENTION

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses related to United States prisoners in the custody of the United States Marshals Service as authorized by section 4013 of title 18, United States Code, $1,058,081,000, to remain available until expended: Provided, That not to exceed $20,000,000 shall be considered “funds appropriated for State and local law enforcement assistance” pursuant to section 4013(b) of title 18, United States Code: Provided further, That the Attorney General shall be responsible for managing the Justice Prisoner and Alien Transportation System:

Provided further, That any unobligated balances available from funds appropriated under the heading “General Administration, Detention Trustee” shall be transferred to and merged with the appropriation under this heading.

NATIONAL SECURITY DIVISION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary to carry out the activities of the National Security Division, $85,000,000, of which not to exceed $5,000,000 for information technology systems shall be available until expended: Provided, That notwithstanding section 205 of this Act, $95,000,000, of which not to exceed $5,000,000 shall remain available until expended:

Section 4013 of title 18, United States Code, as amended by this Act, as may be necessary to respond to the current fiscal year for the Department of Homeland Security, the National Security Division, the Attorney General, and other departments, agencies, and independent organizations engaged in the investigation and prosecution of drug trafficking and affiliated money laundering, investigation, and prosecution of individuals engaged in terrorism financing.

Mr. PITTENGER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk reads as follows:

Page 32, line 5, after the dollar amount, insert “(increased by $25,000,000)”.

Page 72, line 7, after each of the dollar amounts, insert “(reduced by $25,000,000)”.

The Acting CHAIR. Pursuant to House Resolution 267, the gentleman from North Carolina and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. PITTENGER. Mr. Chairman, I thank the chairman for his leadership and hard work on this bill.

Mr. Chairman, my amendment is simple, it is fair, it is fiscally responsible, and it strengthens our national security. My amendment reduces Federal expenses necessary to carry out the activities of the National Security Division, the Attorney General may transfer such amounts to this heading from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: Provided further, That any transfer pursuant to the preceding proviso shall be as a reprogramming of funds appropriated under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

INTERAGENCY CRIME AND DRUG ENFORCEMENT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary for the identification, investigation, and prosecution of individuals associated with the most significant drug trafficking and affiliated money laundering organizations not otherwise provided for, to include inter-governmental agreements with State and local law enforcement agencies engaged in the investigation and prosecution of individuals involved in organized crime drug trafficking, $510,000,000, of which $50,000,000 shall remain available until expended: Provided, That any amounts obligated from appropriations under this heading may be used by authorities available to the organizations reimbursed from this appropriation.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

For necessary expenses of the Federal Bureau of Investigation, for detection, investigation, and prosecution of crimes against the United States, $8.489,786,000, of which not to exceed $216,900,000 shall remain available until expended: That not to exceed $184,500 shall be available for official reception and representation expenses.

which has other proven avenues of funding and prioritize the funding we do have for those seeking to protect us from terrorism.

I encourage all my colleagues to support the amendment, and with that, I reserve the balance of my time.

Mr. FATTAH. Mr. Chairman, I rise in opposition to this amendment.

The Acting CHAIR (Mr. HUDSON). The gentleman from Pennsylvania is recognized for 5 minutes.

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

Mr. Chairman, the committee, over the time that I have been on the committee, each and every year has increased its appropriations to the FBI, and this year is no exception. The chairman, in his wisdom, working with a very tough allocation, has provided $8.5 billion—to be exact, $8.489 billion, which is a $111 million increase.

I think that the gentleman, if his concern is about us providing adequate funding for the Bureau, can rest assured that the committee has taken every—they have taken that responsibility very seriously.

If his concern or effort is to suggest that somehow pro bono lawyers are going to make up the difference for a cut at Legal Services, in a big city like Philadelphia, it may be so that we have law firms who can have pro bono partners who can spend their time helping people who are not going to be able to pay for their legal advice, but it is not the case.

Legal Services was created and it helps people, many of whom are veterans, for instance, who are stationed far away from home, who have to fight off efforts by people who are trying to repossess a car or do something else nefarious. They need access to the courts. And so it was President Nixon who created Legal Services, understanding that one of the things about our country, that is a country of laws. People have to have access to the courts, and they need representation.

So I think there is already a justice gap, that is the percentage of people eligible to the numbers who are actually able to be helped, and I think this would be unwise. I hope and I believe that this House will not support this amendment because it would be taking from people who need it the most when there is no definitive need for it in terms of funding, and it is barely supported.

Mr. Chairman, I now yield 2 minutes to the gentleman from Tennessee, Congressman COHEN, my colleague who represents the city of Memphis.

Mr. COHEN. Mr. Chairman, I thank Mr. Fattah. I join with him in opposing this amendment, and I think this would be unwise. I hope and I believe that this House will not support this amendment because it would be taking from people who need it the most when there is no definitive need for it in terms of funding, and it is barely supported.

Legal Services is funded at $375 million this year. This budget cuts it $75 million to $300 million. That is a large cut. That is over 20 percent. It has been cut and cut and cut over the years.

Nationally, 50 percent of all eligible potential clients are turned away from Legal Services because of a lack of funding. In my district in Memphis,
Mr. Chairman, talking about how these laws are shaped to touch people’s lives and very little time speaking about the enforcement and protections that they provide. Mr. Chairman, this is that moment, and I ask my colleagues to vote “no” on the amendment.

Mr. FAITTAH. Mr. Chairman, I yield back the balance of my time.

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

Mr. Chairman, I acknowledge the wonderful work of Mr. KENNEDY and what he has done with Legal Services. I would say that Legal Services, frankly, has had a long and troubled history of using taxpayer money for political purposes.

An LSC-affiliated agency once used Federal tax dollars to produce pamphlets and political cartoons for political advocacy purposes. Tax dollars were also used to train activists on how to lobby Congress for additional funding. The LSC is marked by misuse of taxpayer money and redundancy, as many of these programs are offered, as well, by the States.

So I don’t question that there is good work that is being done, but at the same time, I think it is prudent and logical that we look and see how this money is not being used wisely and, frankly, been inappropriately used.

So, Mr. Chairman, this is a very, very modest cut in this agency. I commend this amendment to the House and ask for their support, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from North Carolina (Mr. PITTENGER).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. COHEN. 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 Tennessee will be postponed.

The Clerk will read.

The Clerk read as follows:

AMENDMENT OFFERED BY MR. COHEN

Page 33, line 5, after the dollar amount, insert “(reduced by $4,000,000)”.

Page 49, line 9, after the dollar amount, insert “(increased by $4,000,000)”.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Tennessee and a Member opposed each will control 5 minutes.

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

This amendment would increase by $4 million the bill’s funding for grants to address the backlog of sexual assault kits at law enforcement agencies.

DNA analysis has been revolutionary in helping to catch criminals and prevent crimes from occurring because of DNA evidence. This evidence does us no good if it remains untested and sitting on a shelf in a lab somewhere.

But to take it away from an area that gives poor people of America justice—even though it does give money to the FBI to find criminals and hopefully bring justice to them on the criminal side, important—this is not the right place to take the money.

Mr. PITTENGER. Mr. Chairman, I agree with the spirit.

Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts (Mr. KENNEDY).

Mr. KENNEDY. Mr. Chairman, I am grateful for the time of both my colleagues. I want to recognize the extraordinary commitment that my colleagues, Mr. PITTENGER, has made to work on this. But to take it away from an area that gives poor people of America justice—even though it does give money to the FBI to find criminals and hopefully bring justice to them on the criminal side, important—this is not the right place to take the money.

Mr. FAITTAH. Mr. Chairman, I agree with the spirit.

Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts (Mr. KENNEDY).

Mr. KENNEDY. Mr. Chairman, I am grateful for the time of both my colleagues. I want to recognize the extraordinary commitment that my colleague, Mr. PITTENGER, has made to counterterrorism and trying to protect the safety and security of the United States.

I will say, though, Mr. Chairman, I did work as a legal aid attorney, a legal aid volunteer many years ago when I was a law student. We spent countless hours trying to keep a roof over the head of tenants who were being kicked out of their home through no fault of their own because a landlord wasn’t paying a mortgage. Now, you can imagine that people who were going elsewhere because they did nothing wrong but couldn’t avail themselves of an attorney.

To try to find, now, ways to gut that funding when, with low interest rates—one of the key methods of funding for Legal Services across this country is from interest on lawyer’s trust accounts. Because of low interest rates, that funding has been basically nonexistent. In Massachusetts, that went from about $34 million a year down to $4 million a year last year—this is from interest on lawyer’s trust accounts.

We are gutting a very basic tenet of what this country is all about. We spend so much time in these Chambers, in such programs and the distribution of items of token value that promote the goals of such programs, $2,673,945,000; of which not to exceed $75,000,000 shall remain available until expended and not to exceed $29,000 shall be available for official reception and representation expenses.

AMENDMENT OFFERED BY MR. COHEN

Mr. COHEN. Mr. Chairman, I have an amendment at the desk concerning rape kits.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

For necessary expenses of the Drug Enforcement Administration, including not to exceed $70,000 to meet unforeseen emergencies of a confidential character pursuant to section 530C of title 28, United States Code; and expenses of conducting drug education and training programs, including travel and related expenses for participants whose assailants are never brought to justice left to prey on yet more women.

Last year, my hometown paper, the Memphis Commercial Appeal, highlighted the tragic need to end this backlog once and for all. It described a serial rapist who was finally caught by police in 2012. He could have been stopped nearly a decade earlier if only his first victim’s rape kit had been tested, but that kit wasn’t and, instead, he was able to attack five more women over the next 8 years.

Missed opportunities like this happen all across our country every day. The trauma inflicted on victims of rape can be compounded when they know that their assailants run free while critical evidence goes untested. Their assailants run free while critical evidence goes untested.

Fortunately, efforts are underway to reduce the backlog, and they are making a difference. In Memphis, our backlog reached more than 12,000, but police have now opened 488 investigations and issued 90 requests for indictment.

But testing rape kits cost money, more than local law enforcement can afford. I appreciate the chairman’s and the ranking member’s commitment to eliminating the backlog and the funding that the committee has provided in this bill, but we need more money.

This amendment would increase by not quite 10 percent, an additional $4 million, and would take it from the
June 2, 2015

CONGRESSIONAL RECORD—HOUSE

H3703

Mr. TED LIEU of California. Mr. Chairman, I yield back the balance of my time.

Mr. CULBERSON. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 33, line 5, after the 1st dollar amount, insert "(reduced by $10,000,000)".
Page 49, line 6, after the dollar amount, insert "(increased by $10,000,000)".

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from California and a Member opposed each will control 5 minutes.

The Acting CHAIR. The Clerk recognizes the gentleman from Texas.

Mr. CASTRO of Texas. Mr. Chairman, first, I would like to thank the chair- man and the ranking member for their hard work on this bill.

My amendment would add $10 million to the Community Trust Initiative account for police body-worn cameras, and would take those $10 million from the DEA account for salaries and expenses.

Over the last several months, we have seen more and more encounters between members of our communities and law enforcement that have been too powerful to ignore. We have seen in those recordings instances of police abuse.

I urge my colleagues to pass this amendment. The Acting CHAIR. The Clerk will report the amendment.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Texas and a Member opposed each will control 5 minutes.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from California and a Member opposed each will control 5 minutes.

The Acting CHAIR. The Clerk recognizes the gentleman from California.

Mr. TED LIEU of California. Mr. Chairman, this amendment takes $9 million out of the DEA’s $2 billion salaries and expense budget and redirects it toward deficit reduction, as well as underfunded State and local programs to help children who suffer through child abuse, domestic abuse, and sexual assault.

This amendment has been scored by the CBO as reducing budget authority by $2 million and reducing outlays by $8 million in fiscal year 2016.

In the face of alarming support for lessening restrictions on marijuana, the DEA still spends over $18 million a year on domestic marijuana eradication programs. This simply takes some of that money away because some Felon’s wastes have broken some of these eradication programs no longer necessary, and it redirects the money—$2 million to lowering the deficit, $3 million to the Victims of Child Abuse Act, which supports justice and support for victims of child abuse, and $4 million to the Consolidated Youth Oriented program, which helps victims and the services they need to pursue safe and healthy lives.

With that, I reserve the balance of my time.

Mr. CULBERSON. Mr. Chairman, I claim the time in opposition, although I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. Mr. Chairman, I think the amendment offers $10 million to the DEA account for salaries and expenses.

Over the last two decades or so, something changed—two things, in fact.

First, we developed a technology so that basically each of us who walks and law enforcement officers has a cell phone camera is a social documentarian of the things going on around us.

The second thing that changed is the advent of social media, which allowed people not only to document their experiences, but also to widely distribute what they have documented to this country and to the world. Because of that, we have gotten a better indication of the interaction between law enforcement and members of our communities.

In this digital age, we have a responsibility to seek and to know the truth about those encounters. Local police departments, many of them—in fact, 25 percent of the 17,000 police agencies in this country—are already using body cameras. Many more in States all over our Nation are seeking the funds to do this.

The President of the United States and the ranking member offered by the gentleman from California and one of his colleagues to allow local grants and moneys for local agencies to afford these body cameras and for the storage to make sure that they can keep that evidence.
As you all know, this is a very expensive thing, and many departments have struggled with the funds to afford these things. So in the budget that has been proposed, the amount proposed is not $50 million, but $15 million. This $10 million would simply bring us back up to half what the President has requested at $25 million.

I will also add that this is very popular among the American people: 86 percent of Americans—Republicans and Democrats, people of every race and ethnicity, every community across the country—support increased use of body cameras for officers. Even the association of police chiefs in our country supports this also.

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

Mr. CULBERSON. Mr. Chairman, I claim the time in opposition, although I am not opposed to it.

The Acting CHAIR. Without objection, the gentleman from Texas is recognized for 5 minutes.

There was no objection.

Mr. CULBERSON. Mr. Chairman, I would encourage Members to support it. The gentleman has a good amendment. I think the Community Trust Initiative, which we have created in the bill will rebuild that bond of trust between police officers and their community by making sure that these body cameras are available. My good friend from Texas—Texas was the first to pass a State law that says when, where, and how this data from the body cameras can be used. State Senator Royce West from Dallas passed that legislation. I had a chance to talk to him during the legislative session about a month and a half ago, talk to him about this, and I said: If you will pass this law in Texas and other States will pass it, my good friend, Mr. FATTAH, and I, we made sure that the language in our bill follows law. The State law in Georgia, the State law in Pennsylvania, in Texas, et cetera, will decide when, where, and how this data can be accessed by attorneys, by victims, and make sure it is not given to the media. State law will control that. It is a good program and a good amendment, and I encourage Members to support it.

I am happy to yield to my good friend from Philadelphia.

Mr. FATTAH. Mr. Chairman, I thank the gentleman from Texas for offering this amendment. I also support it. We have already put some dollars available for this purpose, but adding another additional $10 million gets us closer to the goal that we want to seek in this effort, so I thank the gentleman.

We have got a circumstance here where we are in total agreement and on one accord.

Mr. CASTRO of Texas. Mr. Chairman, I thank the chairman for his foresight and thank him for his work on this. I also want to thank a few folks: Congressmen CLEAVER, CLAY; DANA ROHRABACHER, who was with me on this; Congressmen SCHWEIKERT, JOHN LEWIS, and DONALD NORCROSS. Congressman NORCROSS did a lot of work on this in New Jersey. So thank you very much. I yield back the balance of my time.

Mr. CULBERSON. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. CASTRO).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. COHEN

Mr. COHEN. Mr. Chairman, I have an amendment.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 33, line 5, after the first dollar amount insert "(reduced by $12,000,000)". Page 72, line 7, after the first dollar amount insert "(increased by $10,000,000)".

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Tennessee and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Tennessee.

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

We just had an amendment on the floor and the amendment took $25 million from several amendments to file, and they went from $5 million for legal services up to $35 million. So what I thought might be the equitable thing to do would be, instead of going with the $35 million, which would have just been half of the cut, to then tell Mr. PITTENGER wanted to take away from them, take it away from the amendment that would have been best, the $35 million increase, and go for a $10 million increase, which would, in essence, be Mr. PITTENGER’s amendment against the amendment which would be a best practices that I would have recommended increasing $35 million.

This amendment would restore $10 million to the devastating cuts to Legal Services. Legal Services in 1995 was funded at $400 million. Just on inflationary dollars, today, that $400 million would be $600 million; yet, in this budget, Legal Services would be funded at $300 million, half of what it would be based on 1995 figures adjusted for inflation.

We are proud of our legal system, and we are known for it all around the globe, but it can be complex. With all of the problems we have with the legal language, let alone just languages that we have in this Nation, it is too difficult for people to represent themselves in court.

There is a saying: "He who represents himself has a fool for a client." People need professional legal aid to get through the maze of the justice system. If you are poor in this country—and most people are—if you are not made aware of your rights, you are trying to deal with the system. And if you go to court, you are not going to be able to successfully work against a private attorney on the other side. It just takes away from the whole idea of equal justice under the law.

I talked earlier about domestic violence. There are ladies—and sometimes men—who need protective orders from abusive partners or seniors who have been victimized by fraudulent lenders as well. Legal assistance is vital to ensuring that these parties are treated fairly and are aware of their rights. That is why I am a champion of the Legal Services Corporation, which helps fund legal aid programs throughout the country.

This bill, as I say, cuts $75 million, which would make many people in the Nation not have representation and unable to pursue justice. Nearly 50 percent of all eligible potential clients are turned away from legal services nationally, and it has hurt people all over this country.

The attorneys do heroic work, and there are serious consequences for reducing the funding to these folks. Unless we ensure legal assistance, we effectively shut the courthouse doors to many who won’t be able to protect their rights.

The decrease would come from the DEA. Again, the DEA has had numerous, numerous problems with agents who have gone rogue and have done things that you shouldn’t do anywhere, least of all when you are a DEA agent representing our country. The funding in the hands of Legal Services could change the lives of thousands of people who need legal representation.

This amendment is $25 million less than what I would have gotten with the $35 million amendment, but I will take that. If we can get the 10, hopefully, Mr. PITTENGER will be happy with the 25 cut from the 35 that we should have gotten, in my opinion, on top to restore the 75 that we have lost.

Representatives QUEGLEY, CASTOR, SCHRADER, and JOE KENNEDY have all helped on this.

Mr. Chairman, I yield such time as he may consume to the gentleman from Massachusetts (Mr. KENNEDY).

Mr. KENNEDY. Mr. Chairman, once again, I rise in support of the Legal Services Corporation.

This is an organization that is the major source of funding for legal aid offices all across this country. The funding, as my colleague indicated, has not kept pace with need, inflation, or reach.

The fact of the matter is, Mr. Chairman—and I have seen as a legal aid volunteer in the courtrooms and then again as a prosecutor the impact of adequate legal representation. I spent hours and hours, along with other volunteers, to ensure that citizens of this country who, through no fault of their own, are being victimized by large interests or by folks who did know how to navigate the legal system could have adequate representation in the courts.

Mr. Chairman, inside these halls, we debate with great vigor and great detail the nuances to every single piece
of legislation, yet spend far too little time discussing the impact of how that is going to be enforced after it becomes law. That is what the Legal Services Corporation does.

The fact is, in many ways, another source of funding for Legal Services is through the interest on lawyers' trusts accounts, IOLTA funding. With low interest rates over the course of past several years, that funding has been devastated.

In Massachusetts alone, that used to be about $34 million a year through a separate fund that has been reduced to $4 million. The fact of the matter is, Mr. Chairman, that Legal Services has already been decimated at a time when more and more people need to understand that they have access to a fair and just legal system. That is what this amendment seeks to do.

That is why I am proud to support it, and I ask my colleagues to do the same.

Mr. CULBERSON. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. Mr. Chairman, the Drug Enforcement Agency is a very important law enforcement agency, and I urge my colleagues to vote "no" on this amendment in order to protect the vital role that the DEA plays in the war on drugs.

I reserve the balance of my time.

Mr. CULBERSON. Mr. Chairman, let me be clear. This does not cut the DEA. It only reduces the amount of money it was increased by in the budget, and it was increased by something like $40 million in a $2 billion budget. It would take $10 million which would make a big difference to Legal Services.

Once the Rohrabacher-Cohen-Farr amendment passes, they won't be messing with States that have legalized medical marijuana, and it will give the DEA a lot more time to do the right things they need to do in northern Mexico and in other failed states; and as for the states that haven't failed, stay out of them.

I yield back the balance of my time.

Mr. CULBERSON. Mr. Chairman, I yield to the gentleman from Philadelphia, Pennsylvania (Mr. FATTAH) for any comments he may have.

Mr. FATTAH. I thank the chairman. Mr. Chairman, I don't want anyone to be confused here. On the floor, the chairman from the subcommittee and from the full committee has said—and I have said it—that we realize that the Legal Services Corporation and the shortfall needs to be addressed.

I believe, before we pass a final bill, it will be addressed. There is no possibility that I am going to support a bill that has got $300 million funding for Legal Services Corporation.

There is this notion of a $10 million increase on top of a $25 million cut. I don't want these votes to be viewed as some kind of ceiling for Legal Services, and I think we ought to be careful here to make sure that the House is working through this, that we understand that the amount that the bill is at now is unacceptable. It has already been cut. Taking that cut and adding $10 million back to it is not a satisfactory response, notwithstanding the intentions of our colleague here.

We want to address the bigger issue, which is the full funding for Legal Services. As we go forward in this effort, I want to make my intentions clear that I want to make sure that we live up to our commitment and our responsibilities in terms of fully funding Legal Services.

Mr. CULBERSON. Mr. Chairman, I want to assure my friend from Philadelphia, as we get down to conference, that we have got priorities in the bill that we did not have enough money for, and we will work hard with you to try to find resources, but let's not take it from the DEA.

I would urge Members to vote against this amendment.

Mr. Chairman, I yield back the balance of my time.
Mr. GOSAR. Mr. Chairman, I rise today to offer another amendment to this bill, along with my colleague from Arkansas (Mr. HILL), that seeks to bolster another important program.

First, I reiterate my thanks to the committee for the long hours they have dedicated to prioritizing limited resources in order to produce this bill, but I simply believe the House should not reward bad behavior for that type of drug, but also, to the ATF. My amendment is simple, and it is nearly identical to an amendment I offered last year, which was adopted by voice vote.

The amendment shifts $5 million from the overreaching Bureau of Alcohol, Tobacco, Firearms, and Explosives by $5 million. I offered a very similar amendment last year, which was adopted by voice vote.

The ATF’s salaries and expenses are slated to receive an increase of $49 million from fiscal year 2015 enacted levels, which would bring the total appropriation to $1.25 billion. My amendment redirects funds from bureaucrats in the mismanaged and overzealous ATF to a worthy treatment program for our Nation’s veterans. I urge my colleagues on both sides of the aisle to once again, show their support for the day-by-day program by passing my commonsense amendment. I thank the chairman and the ranking member for their leadership on this bill.

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

Mr. CULBERSON. Mr. Chairman, I yield the balance of my time.

Mr. GOSAR. Mr. Chairman, I rise in opposition to the gentleman’s amendment, but I am not opposed to it.

The Acting CHAIR. Without objection, the gentleman from Texas (Mr. CULBERSON) is recognized for 5 minutes.

Mr. GOSAR. Mr. Chairman, I rise today to offer another amendment to this bill, along with my colleague from Arizona (Mr. CULBERSON). The amendment shifts $5 million from the overreaching Bureau of Alcohol, Tobacco, Firearms, and Explosives to a worthy and effective program known as the Harold Rogers Prescription Drug Monitoring Program.

You ask why $5 million. Because that amount would bring the Prescription Drug Monitoring Program appropriation to $1.25 billion. My amendment redirects funds from bureaucrats in the mismanaged and overzealous ATF to a worthy treatment program for our Nation’s veterans.

I urge my colleagues on both sides of the aisle to once again, show their support for the day-by-day program by passing my commonsense amendment. I thank the chairman and the ranking member for their leadership on this bill.

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

Mr. CULBERSON. Mr. Chairman, I claim such time as he may consume to the gentleman from Texas (Mr. HILL), that seeks to bolster another important program.

Mr. HILL. Mr. Chairman, I claim the time in opposition. I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman from Arizona is recognized for 5 minutes.
important amendment. I want to thank him for his leadership.

Prescription drug abuse has become an epidemic in my home State of Arkansas and throughout our country. I am so grateful for people like Chief Kirk Lane of Benton, Arkansas, who leads on this issue throughout my district.

Tonight I speak from the well of our beloved House first as a dad, and a Congressman second. I have had personal experiences with the tragic loss of life that can be a result of prescription drug abuse, and many times our children and our loved ones are the ones who are so closely affected and impacted.

My daughter is 18 years old, and she already knows four people in her age group who have lost their lives due to the influence of prescription drugs and the related impacts. That is tragic.

I am proud that Arkansas recently passed legislation that gives law enforcement officers access to the State’s Prescription Drug Monitoring Program. This law in my State will enhance investigatory capabilities and will give law enforcement investigators better ability to bring criminals to justice for prescription drug abuse.

I have visited one such private sector mapping firm in my district and heard firsthand about how government agencies are engaged in this behavior, which hinders private economic growth and job creation. There are numerous companies, including small businesses, ready and able to perform these services for NOAA at a reduced cost and increased quality.

I have visited one such private sector mapping firm in my district and heard firsthand about how government agencies are engaged in this behavior, which hinders private economic growth and job creation. There are numerous companies, including small businesses, ready and able to perform these services for NOAA at a reduced cost and increased quality.

My question for the gentleman from Texas is: Regarding the language I quoted earlier, is it the intent of the committee to include contracting for such surveying and mapping services by NOAA to be handled by a qualified, capable, and cost-effective solution available in the private sector?

I thank the gentleman from Texas and appreciate his hard work on this important legislation.

Mr. CULBERSON. I want to thank my colleague from Iowa for raising this important point, and the committee for the inclusion of report language which states: ‘The committee encourages NOAA to utilize the private sector for these services when they are available and cost effective and practicable.'

Mr. CULBERSON. I yield back the balance of my time.

Mr. BLUM. Mr. Chairman, as a small-business man and a supporter of the private sector, I am so proud to support Mr. Gosar’s amendment that cuts money from the overhead at the ATF and will strengthen these prescription drug monitoring activities.

I thank the gentleman from Arizona. Mr. GOSAR. I thank the gentleman from Arkansas for his kind words in support.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GOSAR).

The amendment was agreed to.

Mr. CULBERSON. Mr. Chairman, I move to strike the last word and enter the desk.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. Mr. Chairman, I yield to the gentleman from Iowa (Mr. BLUM).

Mr. BLUM. Mr. Chairman, as a small-business man and a supporter of the private sector, I am so proud to support Mr. Byrne’s amendment that cuts money from the ATF’s overhead and will strengthen these prescription drug monitoring activities.

As my friend from Texas knows, NOAA operates a fleet of survey ships for nautical charting as well as a fleet of survey aircraft for aerial photography and Lidar for mapping. However, the inspector general of the Department of Commerce has long recommended that the aircraft fleet be privatized, as aerial survey operations are better, faster, and less expensive when purchased from the private sector. In fact, the inspector general found NOAA survey operations cost 42 percent more than the private sector, which was then confirmed by a second NOAA-commissioned study.

Rather than accept these cost savings and productivity improvement requirements, NOAA has continually acquired new planes, new aerial sensors, and new ships. This is not only poor stewardship of taxpayer money and inefficient use of resources, but results in the government duplicating and diverting resources from the private sector. There are numerous companies, including small businesses, ready and able to perform these services for NOAA at a reduced cost and increased quality.

I offer this amendment to bring attention to the 42 percent cost savings and productivity improvements that are attainable in the private sector for NOAA survey operations. The committee for the inclusion of report language which states: ‘The committee encourages NOAA to utilize the private sector for these services when they are available and cost effective and practicable.'

I deeply appreciate my friend’s interest and look forward to continuing to work with him on these issues to ensure they are taken care of as we move through the process.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. BYRNE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will read as follows:

Page 33, line 19, after the dollar amount, insert ‘(reduced by $250,000,000)’.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Alabama and a Member opposed each will control 5 minutes.

Mr. CULBERSON. Mr. Chairman, I recognize the gentleman from Alabama.

Mr. BYRNE. Mr. Chairman, my straightforward amendment would cut the Bureau of Alcohol, Tobacco, Firearms and Explosives, or ATF, by 20 percent. That would result in $250 million worth of savings.

Let me make one thing clear. I know that the ATF has an important mission to play in keeping our Nation safe and regulating everything from firearms to alcohol. That said in the last few years, we have seen an outrageous growth in operations and regulations coming out of the ATF.

How could we forget the Fast and Furious gun trafficking scheme that was allowed to go so far offtrack that 2,000 guns were allowed to flow to Mexican drug trafficking groups? Worst of all, a Federal law enforcement officer was killed with a gun from that operation. The official, Special Agent Thomas鎮liss from an undercover operation in Milwaukee, Wisconsin, went horribly wrong. Convicted felons were given access to weapons, the fake storefront was burglarized, and $39,000 in merchandise was stolen.

I appreciate this proposal was dropped after pressure from Congress.

Mr. Chairman, the people I represent in southwest Alabama are tired of a Federal Government that doesn’t live within its means. They want to see their elected officials in Washington get serious about making cuts to the Federal bureaucracy. My constituents also are tired of executive overreach and the Federal Government involving itself in areas where it simply doesn’t belong.

I know that the committee and Chairman CULBERSON have made real efforts to rein in the ATF, and I appreciate those efforts. I also understand that the ATF is now under new leadership, and I hope that the new leaders get serious about much-needed reforms.

I am all for safety and responsible gun ownership, and the ATF does have a role to play in that, but this amendment would simply require the ATF to return to its core functions and responsibilities. It would cause ATF to look at itself in the mirror, find areas where they can cut back, and refocus on their true priorities.

Ultimately, this amendment is about protecting our Second Amendment rights while also pushing for real reforms to Federal spending. I urge my colleagues to support this amendment. I reserve the balance of my time.

Mr. CULBERSON. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. Mr. Chairman, I do understand the gentleman’s concern. My constituents and all of us were upset with the ATF’s attempt to ban .233 ammunition, but they did the right thing: they withdrew the ammo ban after I had a heart-to-heart with them. By doing the right thing, I think we should reward good behavior, just like Mr. Chairman did with the ATF. We have spending plan language in our bill that allows the subcommittee to have ongoing oversight over not only
the ATF and Department of Justice, every agency under our jurisdiction has to submit a spending plan to us that is then subjected to careful ongoing oversight throughout the year; and if we cut ATF by $250 million, they are not able to do all the important work that they are now engaged in, and it would really devastate the agency.

There are a lot of dedicated law enforcement officers in that agency that are doing their very best to fight gangs and violent criminals.

We have visited with the folks at ATF. They are not concerned about law-abiding citizens or a gun dealer who is following the law. They are focused on the criminal element in the country.

So I would encourage Members, and I would be happy to work with you and share with you the ongoing oversight work that I am doing. I encourage you to visit with the new ATF Director. He is a very impressive man: a marine and a lifelong law enforcement officer who did the right thing here.

The agency is devoted to protecting American’s Second Amendment rights. As the new chairman, if I ever detect any deviation from that, I assure you this son of the South is going to make sure our Second Amendment rights are protected.

I would urge Members to oppose the amendment. I just don’t want to see the ATF devastated.

I reserve the balance of my time.

Mr. BYRNE. I want to thank the gentleman from Texas for his superb work in this area. We are in great debt to you for all that you have done. And I am 100 percent confident you will continue to do that.

I don’t know the new leadership over there. I pray that it is truly new leadership. Because what has happened at ATF is simply unacceptable. And it is particularly not acceptable when it interferes with the Second Amendment rights of the people of the United States of America.

So I thank the gentleman. I know that he will do everything he possibly can. I will take him up on his offer to meet the new leadership.

I yield back the balance of my time.

Mr. CULBERSON. I urge Members to oppose the amendment.

Mr. FATTAH. Will the gentleman yield?

Mr. CULBERSON. I yield to the gentleman from Pennsylvania.

Mr. FATTAH. I visited at the ATF headquarters. In looking at their work particularly focused on explosives—and their new site in Alabama—looking at some of the work that they are doing around the country, it is so vitally important that I think at this time in our country’s history for us to retreat from our commitment to this agency would be a very unfortunate and unwise decision.

So I would hope that the House would vote in opposition to this amendment and make sure that as we go forward we can try to address whatever the concerns are. But cutting ATF by this amount of money would put so many Americans at risk, and I think it would be unwise.

Mr. CULBERSON. Reclaiming my time, I join my colleague in urging a “no” vote on this amendment, and will, again, work with my colleague in making sure the ATF continues to protect the Second Amendment rights of Americans.

There is no greater power the Congress has than the power of the purse. I assure you as the new chairman that I am monitoring very, very closely to make sure that ATF, FBI, and the Department of Justice enforce the law and preserve our Second Amendment Rights.

Therefore, I urge Members to vote “no”, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Alabama (Mr. BYRNE).

The amendment was rejected.

Mr. BUCK. Mr. Chair, I have an amendment on the offered by the gentleman from Colorado (Mr. BUCK).

The amendment was agreed to.

The Acting CHAIR. The Clerk will read the

The Clerk read as follows:

FEDERAL PRISON SYSTEM SALARIES AND EXPENSES (INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Federal Prison System for the administration, operation, and maintenance of the federal prison system, and for technical assistance and advice on correctional institutions, and for the provision of technical assistance and advice on correctional institutions, and for the provision of technical assistance and advice on correctional institutions, and for the provision of technical assistance and advice on correctional institutions, and for the provision of technical assistance and advice on correctional institutions:

Provided further, That the Director of the Federal Prison System, where necessary, may enter into contracts with a for-profit entity to furnish health services to individuals committed to the custody of the Federal Prison System: Provided further, That not to exceed $5,000,000 shall be available for official reception and representation expenses:

Provided further, That not to exceed $50,000,000 shall remain available for necessary operations until September 30, 2017: Provided further, That, of the amounts provided for contract confinement, not to exceed $20,000,000 shall remain available until expended to make payments in advance for grants, contracts and reimbursable agreements, and other expenses: Provided further, That the Director of the Federal Prison System may accept donated property and services relating to the operation of the Federal Prison System from a not-for-profit entity which has operated such program in the past, notwithstanding the fact that such not-for-profit entity furnishes services under contracts to the Federal Prison System relating to the operation of pre-release services, halfway houses, or other custodial facilities.
Mr. Chair, indulge me for a moment while I tell you a story about a 31-year-old man in my home district of Milwaukee, Wisconsin, who, unfortunately, is no longer with us today. His name was Dontre Hamilton.

Dontre, like many people in this country, suffered from a mental illness. He was diagnosed with schizophrenia 1 year prior to the incident and had been off his medication due to an insurance issue.

On April 30 of last year, Dontre was taking a nap on a public park bench when employees of a nearby Starbucks called the police. Two police officers came and did a wellness check and left the scene, discerning that Mr. Hamilton was no threat to himself, nor to anyone in the park or the public.

Soon thereafter, yet another call came from the Starbucks employee because this gentleman was sleeping on the public park bench. Another police officer, Officer Manney of the Milwaukee Police Department, arrived and started to put down Dontre. This put-down turned into a struggle, and Officer Manney pulled out his baton to help him subdue Mr. Hamilton.

The struggle escalated, and Dontre got control of the baton and swung it at Officer Manney. This caused Officer Manney to draw his firearm and shoot 14 bullets into Dontre Hamilton.

Officer Manney was terminated for conducting a pat-down in contravention of his training on dealing with mentally ill individuals but faced no charges in the death of Dontre Hamilton.

Mr. Chair, perhaps this tragedy could have been prevented. Too often, our mental health infrastructure is woefully underfunded by my Administration. A lack of treatment can turn a treatable mental illness into a severe debilitating condition. Many can’t hold a job or pay rent. Many end up homeless on the streets. In fact, more than 124,000, or 0.6% of the United States homeless people in the United States suffer from a severe mental illness.

As a result of many failures in our system, our Nation’s police officers have de facto become our country’s first responders to mental health calls, including those individuals experiencing mental illness. Too often these calls, many intended to be out of concern for the individual in crisis, become a tragic fatality.

As we know, mentally ill persons are not generally dangerous, Mr. Chair. In fact, they are actually more likely to become victims themselves than actual perpetrators of violence. Many of these tragic encounters could be prevented if police officers are trained and follow proper procedures.

The Mentally Ill Offender Treatment and Crime Reduction Act is an important Federal initiative and tool that will help us bridge this gap. This law established a grant program called the Justice and Mental Health Collaboration Program which helps States and localities develop collaborative approaches to dealing with the intersection of criminal justice and mental health systems.

One of the authorized grant uses under the program is training to police officers for exactly these purposes: to safely respond to crisis calls and limit the chance of a tragic and often preventable commotion.

I yield back the balance of my time.

Mr. CULBERSON. Mr. Chairman, I claim the time in opposition, but I am not opposed to the amendment.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Wisconsin (Ms. Moore).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. CONNOLLY

Mr. CONNOLLY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Acting CHAIR. Pursuant to House Resolution 267, the gentleman from Virginia and a Member opposed each will control 5 minutes.

The Acting CHAIR. The Clerk will report the amendment.

The Acting CHAIR. Pursuant to House Resolution 267, the gentleman from Wisconsin and a Member opposed each will control 5 minutes.

The Acting CHAIR. The Clerk will report the amendment.

The Acting CHAIR. Pursuant to House Resolution 267, the gentleman from Virginia and a Member opposed each will control 5 minutes.

The Acting CHAIR. The Clerk will report the amendment.

With the additional funds provided by this amendment, a total of $3 million would be available for courts, which is still short of the $8 million Congress has authorized under the bipartisan Mentally Ill Offender Treatment and Crime Reduction Act.

Our Nation’s heroes are returning from the front line of war since more than 10 years ago. They were deployed in Iraq and Afghanistan, and their transition to civilian life is not always smooth. Twenty percent of Iraq and Afghanistan war veterans suffer from post-
traumatic stress disorder or major depression. One in six battle with substance abuse. Left undiagnosed or untreated, these illnesses can result in an encounter with the justice system. Worse yet, these illnesses can also lead to suicide, which veterans commit at twice the rate of our civilian population.

Fortunately, specialized Veterans Treatment Courts are being developed across the country, including in my home county of Fairfax in Virginia. To help veterans who do find themselves in the justice system and suffer from substance addiction or mental health disorders so that they can alter their course and find the assistance they deserve, Mr. Chairman.

The first such court was established in Buffalo, New York, in 2008; and since then, more than 200 have opened across the Nation. Hundreds more are currently going through the planning and training process. Today, there are more than 11,000 vets enrolled in Veterans Treatment Courts. Virginia is home to the sixth largest veteran population in the country, with more than 50,000 veterans, more than 10 percent of whom live in my district, the 11th Congressional District of Virginia.

The comprehensive treatment program provides eligible veterans with an alternative to jail and incarceration. Participating veterans must commit to an 18- to 24-month program, during which they receive group counseling, a dedicated veteran mentor, and enroll in vocational education and self-help programs.

By bringing veteran service organizations, State veterans service departments, and volunteer mentors into the courtrooms, Veterans Treatment Courts can promote community collaboration and connect veterans with the programs and benefits they have earned and that they may need.

Having a veteran-only court docket ensures veterans get help from the volunteers who specialize in veterans care, and the involvement of fellow veterans allows the defendant to experience a camaraderie to which he or she became accustomed in the military.

We know this model works, and it is our hope this amendment will provide these courts with the resources they need to help our veterans who fall into the justice system to get back on the right track and transition successfully back into the society they swore to defend.

In closing, again, I want to thank the distinguished chairman, the distinguished ranking member, and their respective staffs for their cooperation in this matter.

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

Mr. CULBERSON. Mr. Chairman, I claim the time in opposition, although I support the gentleman’s amendment.

The Acting CHAIR. Without objection, the gentleman from Texas is recognized for 5 minutes.

Mr. PRICE of North Carolina. I support the gentleman’s amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. Mr. Chairman, I move to strike the last word and enter into a colloquy with my good friend, the gentleman from Virginia (Mr. PRICE).

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. Mr. Chairman, I yield to the gentleman from North Carolina (Mr. PRICE) for a colloquy.

Mr. PRICE of North Carolina. I thank the gentleman for yielding, Mr. Chairman.

During the full committee consideration of this legislation, the chairman will recall that we discussed the accompanying report language that, for the first time, would allocate NSF research funding by directorate and, in particular, would disproportionately reduce funding for the Directorate for Social, Behavioral & Economic Sciences and the Directorate for Geosciences. This has raised critical questions and concerns within the scientific community.

As the legislative process goes forward, I ask for the chairman’s assurance that we can work together to preserve the National Science Foundation’s traditional discretion and flexibility in allocating basic research funding among the Foundation’s directorates.

Mr. CULBERSON. I look forward to working with you, Dr. Price, and other members of the subcommittee and the full committee, as well as the Science, Space, and Technology Committee, to ensure that we protect the independence of the National Science Foundation.

It is vitally important that America preserves its leadership role in the world, and scientific research and NSF and NASA have been a vital part of that.

A strong supporter of our investment in the sciences, my favorite Founding Father, Thomas Jefferson, liked to say that liberty was the firstborn of science.

It is vital that we work together, as I will with you, sir, as we move through conference, to continue to preserve the flexibility and independence of the National Science Foundation. We, in the committee report, are simply working to make sure NSF priorities are aligned. I will continue to work with you throughout this process as we move forward.

Mr. PRICE of North Carolina. I thank the gentleman. This is critically important. I appreciate the chance to work on this, as the legislation moves forward.

Mr. CULBERSON. I yield back the balance of my time.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

STATE AND LOCAL LAW ENFORCEMENT ACTIVITIES

OFFICE ON VIOLENCE AGAINST WOMEN VIOLENCE AGAINST WOMEN PREVENTION AND PROSECUTION PROGRAMS


(1) $196,000,000 is for grants to combat violence against women, as authorized by part II of the 1988 Act;

(2) $26,000,000 is for transitional housing assistance grants for victims of domestic violence, dating violence, stalking, or sexual assault as authorized by section 102 of the 1993 Act;

(3) $8,000,000 is for the National Institute of Justice for research and evaluation of violence against women and related issues addressed by grant programs of the Office on Violence Against Women, which shall be transferred to and administered by the Office of Justice Programs;

(4) $11,000,000 is for a grant program to provide services to advocate for and respond to youth victims of domestic violence, dating violence, sexual assault, or stalking as authorized by section 104 of the 1994 Act;

(5) $31,000,000 is for grants to reduce violent crimes against women, as authorized by section 105(e) of the 1995 Act; and

(6) $35,000,000 is for sexual assault victim assistance, as authorized by section 106 of the 1995 Act.

(7) $35,000,000 is for sexual assault victim assistance, as authorized by section 106 of the 1995 Act.

(8) $35,000,000 is for rural domestic violence and child abuse enforcement assistance grants, including as authorized by section 4602 of the 1994 Act.
(10) $4,500,000 is for enhanced training and services to end violence against and abuse of women in later life, as authorized by section 40802 of the 1994 Act; (11) $3,000,000 is for grants to support families in the justice system, as authorized by section 1301 of the 2000 Act: Provided, That unobligated balances available for the programs authorized by section 1301 of the 1994 Act and section 41002 of the 1994 Act, prior to their amendment by the 2013 Act, shall be available for this program; (12) $6,000,000 for education and training to end violence against and abuse of women with disabilities, as authorized by section 1402 of the 2000 Act; (13) $500,000 is for the National Resource Center on Workplace Responses to assist victims of domestic violence, as authorized by section 41051 of the 1994 Act; (14) $1,000,000 for research and analysis on violence against Indian women, including as authorized by section 904 of the 2005 Act: Provided, That such funds may be transferred to and administered by the Office of Justice Programs; (15) $500,000 is for a national clearinghouse that provides training and technical assistance to improve and expand services to sexual assault victims of American Indian and Alaska Native women; (16) $25,000,000 for victim services programs for victims of trafficking, as authorized by section 426 of Public Law 106–58, for programs authorized under Public Law 109–164, or programs authorized under Public Laws 113–4; and (17) $2,000,000 for the purposes authorized under the Rape Survivor Custody Act.

OFFICE OF JUSTICE PROGRAMS
STATE AND LOCAL LAW ENFORCEMENT PROGRAMS

For grants, contracts, cooperative agreements, and other assistance authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322) ("the 1994 Act"); the Omnibus Crime Control and Safe Streets Act of 1996 ("the 1996 Act"); the Justice for All Act of 2004 (Public Law 108–4); the Victims of Child Abuse Act of 1996 (Public Law 104–171); the Victims of Violence Against Law Enforcement Officer Resilience and Survivability (VALOR), $4,000,000 is for use by the National Institute of Justice for research targeted toward developing and disseminating the defences against domestic violence and the phenomenon, and advancing evidence-based strategies for effecting intervention and prevention, $22,500,000 is for available Federal immigration and other detainees housed in State and local detention facilities; (3) $41,000,000 for Drug Courts, as authorized by section 1001(a)(25A) of title I of the 1968 Act; (4) $7,000,000 for mental health courts and adult and juvenile collaboration program grants, as authorized by parts V and VI; and (5) $2,000,000 for the Capital Litigation Improvement Grant Program, as authorized by section 426 of Public Law 108–45 ("the 2004 Act"); and (6) $5,000,000 for economic, high technology and Internet crime prevention grants, including as authorized by section 461 of Public Law 110–403; (7) $20,000,000 for sex offender management assistance, as authorized by the Adam Walsh Act, and related programs. (8) $1,000,000 for the National Sex Offender Public Website; (9) $73,000,000 for grants to States to upgrade criminal and mental health records for the National Instant Criminal Background Check System, including as authorized by the NICS Improvement Amendments Act of 2007 (Public Law 110–180); (10) $125,000,000 for DNA-related and forensic programs and activities, of which— (A) $1,000,000 is for a DNA analysis and capacity enhancement grants for other local, State, and Federal forensic activities, including as authorized under section 101(b) of the Debbie Smith DNA Backlog Elimination Act of 2000 (Public Law 106–546) ("the 2000 Act"); (B) $1,000,000 for the court-appointed special advocate program, as authorized by section 217 of the 1990 Act; (C) $5,000,000 for a veterans treatment courts program; (D) $11,000,000 for a program to monitor prescription drugs and scheduled listed chemical products; (E) $10,000,000 for the court-appointed special advocate program, as authorized by section 217 of the 1990 Act; (F) $15,000,000 for the court-appointed special advocate program, as authorized by section 217 of the 1990 Act; (G) $5,000,000 for the court-appointed special advocate program, as authorized by section 217 of the 1990 Act; (H) $15,000,000 for the Comprehensive School Safety Initiative; and

OFFICE OF JUSTICE PROGRAMS

COMMUNITY ORIENTED POLICING SERVICES
COMMUNITY ORIENTED POLICING SERVICES PROGRAMS (INCLUDING TRANSFER OF FUNDS)

For grants, contracts, cooperative agreements, and other assistance, the following amounts are made available until expended— (1) $95,000,000 for youth mentoring grants; (2) $19,000,000 for programs authorized by the Victims of Child Abuse Act of 1996 (Public Law 104–171) shall not be available until expended; (3) $68,000,000 for missed and expelled children programs, including as authorized by sections 404(b) and 405(a) of the 1974 Act except that section 102(b)(4)(B) of the PROTECT Our Children Act of 2008 (Public Law 110–401) shall not apply for purposes of this Act; and (4) $1,500,000 for child abuse training programs for judicial personnel and practitioners, as authorized by section 222 of the Victims of Child Abuse Act of 1990.

PUBLIC SAFETY OFFICER BENEFITS

INCLUDING TRANSFER OF FUNDS

For programs authorized under section 1001(a)(4) of title I of the Omnibus Crime Control and Safe Streets Act of 1968, such sums as are necessary (including amounts for administrative costs), to remain available until expended; and $16,300,000 for payments authorized by section 1201(b) of such Act and for educational assistance authorized by section 1218 of such Act, to remain available until expended: Provided, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergency circumstances require additional funding for such disability and education payments, the Attorney General may transfer such amounts to "Public Safety Officer Benefits" from available appropriations for the Department of Justice so as to be available until expended: Provided, That such balances made available prior to the date of enactment shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in accordance with the procedures set forth in that section.

COMMUNITY ORIENTED POLICING SERVICES

COMMUNITY ORIENTED POLICING SERVICES PROGRAMS (INCLUDING TRANSFER OF FUNDS)

For grants, contracts, cooperative agreements, and other assistance, the following amounts are made available until expended: (1) $11,000,000 for anti-methamphetamine-related activities, which shall be transferred to the Drug Enforcement Administration upon enactment of this Act; (2) $12,000,000 for assistance to Indian tribes; (3) $32,500,000 for initiatives to improve police-community relations, as described in the report accompanying this Act; (4) $41,000,000 for a grant program for community-oriented police assault liability reform; (5) $68,000,000 for officer reentry programs and research, as authorized by the Second Chance Act of 2007 (Public Law 110–191), without regard to the time limitations specified at section 6(1) of such Act; and
inmate training, religious, or educational
visual or electronic media or equipment for
the Bureau of Prisons as appropriately secure for
an individual who is a prisoner pursuant to
the Personnel Management Demonstration
Act of 2002 (Public Law 107–296; 28
U.S.C. 599B) without limitation on the num-
ber of the Bureau of Prisons to provide escort
services for official reception and representation ex-
ceptions set forth in that section.

Sec. 203. None of the funds appropriated under this title shall be used to require any
person to perform, or facilitate in any way the performance of, an abortion.

Sec. 204. Nothing in the preceding section shall be construed to limit the obligation of the
Director of Justice and the Bureau of Justice
Inspections Division Report 15-04 entitled
the Department of Justice, Evaluation and
Inspections Report specified in subsection (a).

The Attorney General shall report to the Commit-
tees on Appropriations of the House of Representa-
tives and the Senate not later than 90
days after the date of enactment of this Act detailing the planned distribution of Assets Forfeiture
Fund pursuant to title I of Public Law 102–140 (105 Stat. 784; 28 U.S.C. 527 note) shall be for payments associated with joint
law enforcement operations as authorized by
section 524(c)(8)(E) of title 28, United States
Code, and $20,514,000 shall be for payments associated with subparagraphs (B), (F), and
(2) of section 524(c)(1) of title 28, United States
Code.

The Attorney General shall submit a spending plan to the Committees on Appro-
priations of the House of Representatives and the Senate not later than 30 days after the date of enactment of this Act detailing the planned distribution of Assets Forfeiture Fund joint law enforcement operations fund-
ing during fiscal year 2016.

Sec. 211. None of the funds appropriated by
this Act may be used to plan for, begin, con-
tinue, or in the case of rape or incest:
any abortion.

Sec. 215. None of the funds made available under this Act shall be used to require any
person to perform, or facilitate in any way the perfor-
ance of, any abortion, except where the life of the mother would be endangered if the fetus were
terminated, or in the case of rape or incest: pro-
vided, That such abortion be performed in a
hospital or under the supervision of a licensed
physician.

Sec. 214. Notwithstanding any other provi-
sion of law, section 2010A(a) of subtitle A of
title II of the Violent Crime Control and Law
Enforcement Act of 1994 (42 U.S.C. 1370a(a))
shall not apply to amounts made available by
this or any other Act.

(2) funds made available for grant or reim-
bursement programs under such headings,
except for amounts appropriated specifically
for crime under State or Federal
law enforcement programs administered by the National Insti-
tute of Justice and the Bureau of Justice
Statistics, may be transferred to and merged
with other programs administered by the
National Institute of Justice and the Bureau of Justice
Statistics, to be used by them for research, evalua-
tion, or statistical purposes, without regard to
the authorizations for such grant or reim-
bursement programs: Provided, That the
transfer authority in this paragraph is in ad-
tion to any other transfer authority con-
tained in this Act: Provided further. That any
transfer pursuant to this subsection shall be treated as a
reprogramming of funds under section 505 of this Act and shall not be available for obliga-
tion except in compliance with the proce-
dures set forth in that section.

The Attorney General is author-
ized to extend through September 30, 2016, the Offender
Demonstration Project transferred to the Attorney General pursuant to section 1115 of the Homeland Se-
curity Act of 2002 (Public Law 107–296; 28
U.S.C. 464) and in addition to any amounts
provided
by law, with re-
spect to funds appropriated by this title under the headings—“Violent Against
Women Prevention and Prosecution Pro-
gam”, “Law Enforcement Technical Assistance”, “Juvenile Justice Programs”, and “Community Oriented Policing Services Programs”:
(1) up to 3 percent of funds made available to the Office of Justice Programs for grant or reimbursement programs may be used by such Office to provide training and technical assistance;
and
(2) funds made available for grant or reim-
bursement programs under such headings,
except for amounts appropriated specifically
for crime under State or Federal
law enforcement programs administered by the National Insti-
tute of Justice and the Bureau of Justice
Statistics, may be transferred to and merged
with other programs administered by the
National Institute of Justice and the Bureau of Justice
Statistics, to be used by them for research, evalua-
tion, or statistical purposes, without regard to
the authorizations for such grant or reim-
bursement programs: Provided, That the
transfer authority in this paragraph is in ad-
tion to any other transfer authority con-
tained in this Act: Provided further. That any
transfer pursuant to this subsection shall be treated as a
reprogramming of funds under section 505 of this Act and shall not be available for obliga-
tion except in compliance with the proce-
dures set forth in that section.

None of the funds made available under this title shall be obligated or ex-
pended for any new or enhanced information technology system involving total development costs in excess of $100,000,000, unless the Deputy Attorney General and the

investment review board certify to the Com-
mitees on Appropriations of the House of Representatives and the Senate that the in-
formation technology program has appro-
priate program controls and contractor oversight mechanisms in place, and that the program is compatible with the enterprise architecture of the Department of
Justice.

The notification thresholds and procedures set forth in section 505 of this Act shall not apply to any amounts designated for specific activities in this Act and in the report accompanying this Act, and to any use of deobligated balances of funds provided under this title in previous years.

None of the funds appropriated by this Act may be used to plan for, begin, con-
tinue, or in the case of rape or incest:
any abortion.

Notwithstanding any other provi-
sion of law, no funds shall be available for the
salary, benefits, or expenses of any
United States Attorney assigned dual or ad-
ditional responsibilities by the Attorney
General or his designee that exempt that
United States Attorney from the residency
requirements of section 545 of title 28, United
States Code.

At the discretion of the Attorney
General, and in addition to any amounts that otherwise may be available (or author-
ized to be made available) by law, with re-
spect to funds appropriated by this title under the headings—“Violent Against
Women Prevention and Prosecution Pro-
gam”, “Law Enforcement Technical Assistance”, “Juvenile Justice Programs”, and “Community Oriented Policing Services Programs”:
(1) up to 3 percent of funds made available to the Office of Justice Programs for grant or reimbursement programs may be used by such Office to provide training and technical assistance;
and
(2) funds made available for grant or reim-
bursement programs under such headings,
except for amounts appropriated specifically
for crime under State or Federal
law enforcement programs administered by the National Insti-
tute of Justice and the Bureau of Justice
Statistics, may be transferred to and merged
with other programs administered by the
National Institute of Justice and the Bureau of Justice
Statistics, to be used by them for research, evalua-
tion, or statistical purposes, without regard to
the authorizations for such grant or reim-
bursement programs: Provided, That the
transfer authority in this paragraph is in ad-
tion to any other transfer authority con-
tained in this Act: Provided further. That any
transfer pursuant to this subsection shall be treated as a
reprogramming of funds under section 505 of this Act and shall not be available for obliga-
tion except in compliance with the proce-
dures set forth in that section.

None of the funds made available under this title shall be used to require any
person to perform, or facilitate in any way the performance of, an abortion, except where the life of the mother would be endangered if the fetus were
terminated, or in the case of rape or incest: pro-
vided, That such abortion be performed in a
hospital or under the supervision of a licensed
physician.

None of the funds made available under this title shall be obligated or ex-
pended for any new or enhanced information technology system involving total development costs in excess of $100,000,000, unless the Deputy Attorney General and the
States Code, not to exceed $2,250,000 for official reception and representation expenses, and rental of conference rooms in the District of Columbia, $5,555,000.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

SCIENCE

For necessary expenses, not otherwise provided for, in the conduct and support of science, research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control and communications activities; program management; personnel and related costs, including uniforms or allowances therefore, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $625,000,000, to remain available until September 30, 2017, of which $25,000,000 shall be for icy satellites surface technology and test beds.

EXPLORATION

For necessary expenses, not otherwise provided for, in the conduct and support of exploration research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefore, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $758,000,000, to remain available until September 30, 2017.

CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE AND RESTORATION

For necessary expenses for construction of facilities including repair, rehabilitation, revitalization, and modification of facilities, construction of new facilities and additions to existing facilities, facility planning and design, and restoration, and acquisition or condemnation of real property, as authorized by law, and environmental compliance and restoration, $425,000,000, to remain available until September 30, 2017, of which proceeds from leases deposited into this account shall be available for a period of 5 years to the extent and in amounts as provided in annual appropriations Acts.

AERONAUTICS

For necessary expenses, not otherwise provided for, in the conduct and support of aeronautics research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control and communications activities; program management; personnel and related costs, including uniforms or allowances therefore, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $625,000,000, to remain available until September 30, 2017, of which $25,000,000 shall be for icy satellites surface technology and test beds.

SPACE OPERATIONS

For necessary expenses, not otherwise provided for, in the conduct and support of space operations research and development activities, including research, development, operations, support and services; space flight, spacecraft control and communications activities, including operations, production, and services; maintenance and repair, facility planning and design; program management and related costs, including uniforms or allowances therefore, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $3,957,300,000, to remain available until September 30, 2017.

EDUCATION

For necessary expenses, not otherwise provided for, in the conduct and support of aeronautics research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefore, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $119,000,000, to remain available until September 30, 2017, of which $18,000,000 shall be for the Experimental Program to Stimulate Competitive Research and $40,000,000 shall be for the National Space Grant College program.

SAFETY, SECURITY AND MISSION SERVICES

For necessary expenses, not otherwise provided for, in the conduct and support of science, aeronautics, space technology, exploration, space operations and education research and development activities, including research, development, operations, support, and services; manufacturing and designing spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefore, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; not to exceed $63,000,000 for official reception and representation expenses; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $758,000,000, to remain available until September 30, 2017.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, $37,400,000, of which $500,000 shall remain available until September 30, 2017.

ADMINISTRATIVE PROVISIONS (INCLUDING TRANSFERS OF FUNDS)

Funds for any announced prize otherwise authorized shall remain available, without fiscal year limitation, until the prize is claimed or the offer is withdrawn.

Not to exceed 5 percent of any appropriation made available for the current fiscal year for the administration of the Space Administration in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers. Balances so transferred shall be merged with and available for the same purposes and the same time period that the balances to which transferred. Any transfer pursuant to this provision shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

The spending plan required by this Act shall be provided by NASA at the theme, program, project and activity level. The spending plan, as well as any subsequent change of an amount established in that spending plan that meets the notification requirements of section 505 of this Act, shall be treated as a reprogramming under section 505, and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

The unexpired balances of a previous account, for activities for which funds are provided in this Act, may be transferred to the
new account established in this Act that provides for such activities. Balances so transferred shall be merged with the funds in the newly established account, but shall be available under the same terms, conditions and period of time as previously appropriated.

National Science Foundation Research and Related Activities

For necessary expenses in carrying out the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.), and Public Law 86-209 (42 U.S.C. 1880 et seq.); services as authorized by section 3109 of title 5, United States Code; maintenance of aircraft and purchase of flight services for research support; acquisition of aircraft; and authorized travel; $5,983,645,000, to remain available until September 30, 2017.

Office of Inspector General

For necessary expenses of the Office of Inspector General as authorized by the Inspector General Act of 1978 (42 U.S.C. 2110c et seq.), of which not more than $320,000,000 shall remain available until expended for space leases and related services, and for office expenses of the Inspector General as authorized by the Inspector General Act of 1978 (42 U.S.C. 2110c et seq.), $150,000,000, of which all funds shall be available until expended for official reception expenses.

Administrative Provision

Not to exceed 5 percent of any appropriation made for the Office of Inspector General in this Act, to reimburse the Inspector General for travel expenses incurred in the performance of duties under any authority authorized by law; $84,500,000 shall be available until expended for the purposes of section 505 of this Act.

Marine Mammal Commission

SALARIES AND EXPENSES

For necessary expenses of the Marine Mammal Commission, $3,340,000, of which not to exceed $124,000 shall be available for official reception and representation expenses.

State Justice Institute

SALARIES AND EXPENSES

For necessary expenses of the State Justice Institute, as authorized by the State Justice Institute Authorization Act of 1984 (42 U.S.C. 1701 et seq.), $5,121,000, of which not more than $500,000 shall remain available until expended for official reception and representation expenses.
TITLE V
GENERAL PROVISIONS
(INCLUDING RESCISSIONS)
(INCLUDING TRANSFER OF FUNDS)
SEC. 501. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 502. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 503. The expenditure of any appropriation under any consultative service through procurement contract, pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 504. If any provision of this Act or the application of such provision to any person or circumstances as limited or invalid, the remainder of the Act and the application of each provision to persons or circumstances other than those to which it is held invalid shall remain in effect.

SEC. 505. None of the funds provided under this Act, or provided under previous appropriations Acts, may be used to transfer funds from that Act that remain available for obligation or expenditure in fiscal year 2016, or provided from any accounts in the Treasury of the United States, or from any other accounts of the Treasury, if the balances of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that—(1) creates or initiates a new program, project or activity; (2) eliminates a program, project or activity; (3) increases funds or personnel by any means for any project or activity that has been restricted or that has not been available to the agencies funded by amounts appropriated by this Act, pursuant to the procedures set forth in that section; (4) relocates an office or employees; (5) reorganizes or renames offices, programs or activities; (6) contracts out or privatizes any functions or activities presently performed by Federal employees; (7) augments existing programs, projects or activities in excess of 10 percent; or reduces by 10 percent, whichever is less, or reduces by 10 percent of any fund for any program, project or activity, or numbers of personnel by 10 percent; or (8) results in an increase in deficit or savings from a reduction in personnel, which would result in a change in existing programs, projects or activities as approved by Committees on Appropriations.

SEC. 506. In any case where any Federal department or agency is unable to reprogram funds as provided in this Act, the department or agency shall submit a statement to the Secretary of the Treasury, the Attorney General, the Administrator, Director, or President, as appropriate, shall make the results of the audit available to the public on the Internet website maintained by the Department of Commerce, Administration, Federal departments, agencies, and entities respectively. The results shall be made available in redacted form to exclude—

(a) any matter described in section 552(b) of title 5, United States Code; and

(b) sensitive personal information for any individual, the public access to which could prevent an individual from committing to or continuing a job, education, or training program, for other inappropriate or unlawful purposes.

SEC. 507. (a) The Departments of Commerce and Justice, the National Science Foundation, and the National Aeronautics and Space Administration shall provide to the Committees on Appropriations of the House of Representatives and the Senate a quarterly report on the status of balances of appropriations at the account level. For obligations, commitments, and unobligated, committed balances the quarterly reports shall separately identify amounts attributable to each source of appropriation, from which they were derived. For balances that are obligated, but unexpended, the quarterly reports shall separately identify amounts by the year of obligation.

(b) The report described in subsection (a) shall be submitted within 30 days of the end of each quarter.

SEC. 508. Any costs incurred by a department or agency funded under this Act resulting from actions taken in response to funding reductions included in this Act shall be absorbed within the total budgetary resources available to such department or agency funded, to the extent that the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to any new authorities in this Act: Provided further, that use of funds to carry out this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligations or expenditure except in compliance with the procedures set forth in that section: Provided further, That for the Department of Commerce, this section shall also apply to actions taken for the care and protection of loan collateral or grant property.

SEC. 509. None of the funds provided by this Act shall be available to promote the sale or export of tobacco or tobacco products, or to seek the reduction or removal by any foreign country, whether high-impact, moderate-impact, or otherwise, of exports of tobacco or tobacco products, except for restrictions which are not applied equally to all tobacco or tobacco products of the same type.

SEC. 510. None of the funds made available in this Act may be used to pay the salaries and expenses of personnel of the Department of Justice to obligate more than $2,705,164,000 during fiscal year 2016 from the fund established by section 1402 of Public Law 98–473 (42 U.S.C. 10601).

SEC. 511. None of the funds made available to the Department of Justice in this Act may be used to discriminate against or denigrate the religious or moral beliefs of students who participate in programs for which financial assistance is provided from those funds, or of the parents or legal guardians of such students.

SEC. 512. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer referred to in any other provision of this Act or any other appropriation Act.

SEC. 513. Any funds provided in this Act used to implement E-Government Initiatives shall be subject to the procedures set forth in section 505 of this Act.

SEC. 514. The Secretary General of the Department of Commerce, the Department of Justice, the National Aeronautics and Space Administration, the National Science Foundation, and the Legal Services Corporation shall conduct audits, pursuant to the Inspector General Act (5 U.S.C. App.), of grants made to State and local governments, or other organizations, that are appropriated by this Act, and shall submit reports to Congress on the progress of such audits, which may include preliminary findings and a determination of whether, and in what amount, grants are directed, or subsidized by the People's Republic of China.
(b) None of the funds appropriated or otherwise made available under this Act may be used to acquire a high-impact or moderate-impact information system reviewed and assessed as (a), unless 10 days prior to the estimated completion of the assessment or, if the assessment is conducted by an external entity, the estimated completion date of the assessment is provided to, and reviewed by, the requester. 

S. 517. (a) Notwithstanding any other provision of law or treaty, in fiscal year 2016 and each fiscal year thereafter, none of the funds appropriated or otherwise made available under this Act or any other Act may be expended or obligated by a department, agency, or instrumentality of the United States to pay administrative expenses or to compensate an officer or employee of the United States in connection with requiring an export license for the export to Canada of any article enumerated in subsection (a); and 

(b) The foregoing exemption from obtaining an export license—

(1) does not exempt an exporter from filing any shipper’s Export Declaration or notification letter required by law, or from being otherwise eligible under the laws of the United States to possess, ship, transport, or export the articles enumerated in subsection (a); and 

(2) does not permit the export without a license of any naked, complete breech mechanisms for any firearm classified as a firearm component, part, accessory, or attachment for firearms listed in Category I (other than for end use by the Federal Government, a Provincial or Municipal Government of Canada; (b) barrels, cylinders, receivers (frames) or complete breech mechanisms for any firearm listed in Category I, other than for end use by the Federal Government, or a Provincial or Municipal Government of Canada; or (c) military aircraft, airship, or similar craft from Canada to another foreign destination.

(c) In accordance with this section, the Directors of Customs and Pondermasters shall permit the permanent or temporary export without a license of any unclassified articles specified in subsection (a) to Canada for end use in Canada or return to the United States, or temporary import of Canadian-origin items from Canada for end use in the United States or return to Canada for a temporary export from Canada.

(d) The President may require export licenses under this section on a temporary basis if the President determines, upon public consultation and Federal Regulations of the Department of Commerce, that the Government of Canada has implemented or maintained inadequate import controls for the articles specified in subsection (a), such that a significant diversion of such articles has and continues to take place for use in international terrorism or in the escape of a conflict in another nation. The President shall terminate the requirements of a license when reasons for the temporary requirements have ceased.

S. 518. (a) In determining any other provision of law, in fiscal year 2016 and each fiscal year thereafter, no department, agency, or instrumentality of the United States shall permit the permanent or temporary export without a license of any firearm or firearm component, part, accessory, or attachment for firearms listed in Category I (other than for end use by the Federal Government, a Provincial or Municipal Government of Canada; (b) barrels, cylinders, receivers (frames) or complete breech mechanisms for any firearm classified as a firearm component, part, accessory, or attachment for firearms listed in Category I, other than for end use by the Federal Government, or a Provincial or Municipal Government of Canada; or (c) military aircraft, airship, or similar craft from Canada to another foreign destination.

(c) In accordance with this section, the Directors of Customs and Pondermasters shall permit the permanent or temporary export without a license of any unclassified articles specified in subsection (a) to Canada for end use in Canada or return to the United States, or temporary import of Canadian-origin items from Canada for end use in the United States or return to Canada for a temporary export from Canada.
from New York and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. NADLER. Mr. Chairman, I have two amendments. The first strikes section 527; the second strikes section 528. I had to put them in as two separate amendments because only one amendment pends at a time, but they are really together.

Sections 527 and 528, which my amendment would strike, restricts the President’s authority to move Guantanamo Bay detainees to the United States for trial.

Mr. Chairman, simply put, it is time to punish Khalid Sheikh Mohammed, the mastermind of the 9/11 attacks. In GTMO, he has not been tried, convicted, or punished. Meanwhile, Federal courts have tried, convicted, and punished more than 400 terrorists. None of them have ever escaped from a U.S. prison. No prison where they are located has ever been subjected to an attack.

The only thing my friends who are opposed to closing Guantanamo have on their side is fear. Fear, Mr. Chairman. As they argue against this amendment, they will try to tell us that these men are dangerous and scary, that these men can harm us, that these men are the worst of the worst—and some may be—but these men are already in our custody.

Like so many murderers and terrorists already in prison, they have no power over us. They have been shut off from the outside world for more than a decade.

If there are terrible people in Guantanamo—and I am not denying that there are—then it is time for them to face the consequences of their actions in a U.S. court. And that is what we have.

The terrorists that have been prosecuted and sentenced had their day in court and were found guilty.

U.S. Federal courts have successfully tried and convicted criminals and terrorists during times of war and peace for hundreds of years, all while respecting the rights of due process that our Constitution demands.

This leads me to believe that some of my colleagues do not believe in the American system of justice. They do not trust our American courts to do justice. I do not understand why.

Through the centuries, our legal system has kept America safe by putting away dangerous individuals while protecting those who were innocent of the government’s charges against them. That is the beauty of our system that has made it the envy of the world.

The principles underpinning the system, which were enshrined in a fair trial, are built into our Constitution and are part of our most basic values. But in order for the system to work, you actually need to get your day in court.

Without our amendment, this bill guarantees that we will continue holding people indefinitely at Guantanamo Bay.

Even though we suspect that we are holding people who are terrorists, some of whom probably are, in fact, terrorists, none of this has been proven in a court of law. Without this amendment, we will continue to hold them indefinitely without charge, contrary to the very thing the Constitution demands for, contrary to any notion of due process.

The founding principles of the United States, that no person may be deprived of liberty without due process of law and certainly may not be deprived of liberty indefinitely without due process of law, demands that we close the detention facility at Guantanamo.

We must close this facility, try these people, condemn the guilty, place them in supermax facilities, release the innocent, if there are any; and restore our national honor. I urge the support of this amendment.

I reserve the balance of my time.

Mr. CULBERSON. Mr. Chairman, I claim the time in opposition to this amendment.

The Acting CHAIR. The gentleman from New York (Mr. NADLER) is attempting to do is to give constitutional rights to foreign nationals captured on battlefields overseas who are being held in Guantanamo Bay. Never before in American history have we ever given constitutional rights to foreign enemies attempting to do is to give constitutional rights to foreign nationals captured overseas on a battlefield—constitutional rights, the most precious rights we have, that were fought for, bled for, died for by our forefathers on so many battlefields; some were not.

That is what Mr. NADLER seeks to strike: “None of the funds appropriated . . . in this or any other Act may be used to transfer, release, or assist in the transfer, or release to or within the United States . . . Khalid Sheikh Mohammed or any other detainee who is not a United States citizen or a member of the Armed Forces . . . and is or was held on or after June 24, 2009 . . . at Guantanamo Bay or any other place outside the United States.”

During World War II, a group of Nazi saboteurs who landed on beaches in Long Island and in Florida were captured fairly rapidly by local police officers and local militiamen and were handed over to the U.S. military. Franklin Roosevelt did the right thing, and they immediately held these Nazis as military detainees. They were accorded a trial under the Code of Military Justice and executed, as they should have been. I think within about 60 days.

This is not really an issue with the American people, who I hope, Mr. Chairman, are out watching tonight because there could not be a more dramatic contrast between the majority in the House that is representing the will of the Nation in seeing that our laws are enforced and the enemies of the United States are hunted down wherever they may hide.

I had a constituent tell me Hamas stands for “hiding among mosques and schools.” Wherever these people may hide—they hide behind women and children. They will not face our soldiers on the battlefield. When we have met them on the battlefield, we have defeated them decisively.

Where the men and women of the United States military find these people and hunt them down and kill them or capture them—if we have captured them and they have information that could save American lives, we bring them to Guantanamo Bay, and we have saved countless lives by holding them there.

We, in this appropriations bill, make clear that we will not give these killers, these cowards, these terrorists, these foreign fighters on foreign battlefields the precious rights reserved for the people of the United States by this Constitution. And it is that simple.

If you want to give terrorists, foreign fighters overseas constitutional rights, you should vote with the gentleman from New York (Mr. NADLER).

Vote against Mr. NADLER’s amendment if you believe that the rights guaranteed by this Constitution are reserved for the people of the United States and that if you are an enemy combatant, a foreign national fighting the United States, you are going to be dealt with severely and accorded the Code of Military Justice, as it should be.

I reserve the balance of my time.

Mr. NADLER. How much time do I have remaining, Mr. Chairman?

The Acting CHAIR. Mr. NADLER has 90 seconds remaining.

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

First of all, almost everything the gentleman just said is not apropos and is wrong.

The Supreme Court of the United States has ruled that the people at Guantanamo have exactly the same constitutional rights—no more and no less—than they would have if brought to the United States. So it has nothing to do with giving constitutional rights to foreign nationals.

Second of all, some of these people were, indeed, captured on foreign battlefields; some were not.

Third of all, maybe they should be tried by military tribunals, but they have been held 14, 15 years.

We can’t manage to try them by foreign tribunals. Put them in a Federal court. Try them. Convict them.
Put them in a Federal court, try them, and convict them. If you want to put them in a military tribunal, you can do that, fine. We haven’t managed to. But the fact is, by staying in Guantanamo, they don’t have any less, fewer, or more constitutional rights than anyone within the jurisdiction of the United States, according to the Supreme Court, has constitutional rights. We must treat them with due process. All this amendment says is treat them the way the Supreme Court has said we should: try them, condemn them, or find them innocent, as the case may be. Some may be innocent. Many of them are not. Some may be. We should follow our traditions.

Mr. Chairman, I urge the adoption of this amendment so that we can apply American concepts of justice as the Supreme Court has said we must.

We can try them by military tribunal in Guantanamo or in the United States. We can try them in Federal Court. Military tribunals haven’t worked. We haven’t been able to make them work. Federal courts have worked. We should condemn the guilty and release the innocent, if there are any.

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

Mr. FATTAH. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. It was not long after 9/11 that we held a conversation here in Washington, and the former Speaker was on a panel over in Rayburn. I think, well, this is the situation that we find ourselves in after these attacks. And I asked Speaker Gingrich at the time, former Speaker, this notion of us being a nation of laws, what did that mean now. Because under former President Bush, the original President Bush, he had complained about the Chinese holding people without trial. We had issued a formal complaint that the Chinese were holding people without trial, using secret evidence and so forth and so on, and what did this mean now in the context of our own country’s conduct. Speaker Gingrich said that, well, he wasn’t really sure because we are at a difficult moment. So now we are here. We have had two Presidents who tried to close Guantanamo. President Bush who opened it, and his second administration wanted to end it, and then we had two Presidential elections in which the country voted for Barack Obama, who said he wanted to close this facility. We have a congressional majority that is not going to do it, that is going to put every impediment in the way of doing it.

We have our national security enterprise that says that this is used as a recruitment tool against our interests, that this is working against the security of the United States. And, more important than perhaps even that is, I am sure, gnaws at our ideals as Americans that you would take someone, hold them, never try them, never produce any evidence in a tribunal of any type, military or civilian, and say that you are going to throw it in any penalty, that that is not the great Nation that our ideal speaks to. This is the act of something less than what we should be doing as a great country.

Mr. Chairman, I know that it is not popular and Mr. NADLER’s amendment is not going to probably enjoy majority support, but at the end of the day, we can’t just ask what is popular or what is politic. At some point, we have to ask ourselves what is the right thing. If we can complain about China holding people without charge, with secret evidence and so forth and so on and no trial and no access to lawyers, then we have to think about looking in the mirror and think about what we have allowed other people’s actions to turn our country into this circumstance where tribunals have been opened. Speaker Gingrich said that, well, this is the situation that we appear to have it.

So, Mr. Chairman, I rise in support of the Nadler amendment, and I yield back the balance of my time.

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

Let me, if I could, Mr. Chairman, point out that President Obama has already said he wants to close Guantanamo Bay and bring these people into the United States. The 19th terrorist captured in the United States, and therefore he was entitled to constitutional protection because he was in the United States.

But the only thing standing between Barack Obama giving these terrorists and killers constitutional rights is this language in this appropriations bill which says none of the money in the United States can be used to transfer these killers into the United States. As soon as they touch our soil, they will be somehow killed or captured. And that is exactly what Mr. NADLER wants to do with his amendment is give these precious constitutional rights to these killers and these cowards that have been captured on foreign battlefields, these foreign nationals who have never been afforded the protection of the United States Constitution, which is reserved for the people of the United States.

They deserve what they have got. They are lucky to be alive. They are lucky to be in Guantanamo Bay. And I urge Members to vote against this amendment to ensure that these people are given what they deserve, and that is, whether it be life in prison or whatever lies ahead of them, that they will never again threaten the people of the United States.

Mr. Chairman, I urge Members to vote “no,” against Mr. NADLER’s amendment, to ensure that constitutional protections are only afforded to the people of the United States or those persons who are actually within our boundaries when they are captured or they commit a crime.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. NADLER).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. NADLER. Mr. 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.

The Clerk will read.

The Clerk read as follows:

SEC. 528. (a) None of the funds appropriated or otherwise made available in this Act or any other Act may be used to construct, acquire, or modify any facility in the United States, its territories, or possessions to house any individual described in subsection (c) for the purposes of detention or imprisonment in the custody or under the effective control of the Department of Defense.

(b) The prohibition in subsection (a) shall not apply to any modifications at United States Naval Station, Guantanamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantanamo Bay, Cuba, and who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

AMENDMENT OFFERED BY MR. NADLER

Mr. NADLER. Mr. Chairman, I have an amendment to strike section 528.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Strike section 528.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from New York and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. NADLER. Mr. Chairman, this is really a continuation of our colloquy from the last amendment since they both seek to do the same thing. Let me just say a couple of things.

Again, the United States Supreme Court has ruled that people in Guantanamo Bay have the same constitutional rights as people in Florida, New York, or Washington, so I do not seek to give people in Guantanamo Bay constitutional rights they do not already have. They have the constitutional rights. That was the Supreme Court decision I think, in 2008. I think the decision was. They have the constitutional rights. Anyone under the jurisdiction and effective control of the United States has the constitutional rights, so that is not really in question.

What is really in question is: Are we going to honor our obligations? Now, the gentleman says that some of these people are terrible people, that they are murderers. Some of them may be,
and some of them are, but some of them may not be. They have not been tried. They ought to be tried.

As the gentleman from Pennsylvania said, we have criticized the Chinese communists, and we have criticized many for holding people in jail indefinitely, for not trying them and for not giving them any kind of due process. These people, like any other human beings, deserve some due process. Some of them, I am sure, have been terrorists. They ought to be condemned and put in jail forever. Some of them may not be. And some of them were captured on foreign battlefields and some were not. Some of them were simply victims of the Hatfields and the McCoys’ feud between two tribes of clans in Afghanistan or wherever, and one clan said: Gee, the Americans are paying a $5,000 bounty, so why don’t we tip them off to our enemy and tell them that they are a terrorist. Some of them are not guilty of that.

The facts ought to come out. Some due process ought to be given. No one ought to be held in jail for life without a trial, without a hearing, and without some due process. That is what the majority of whom have been judged not to be terrorists have done. Some of them are still at Guantanamo, the majority of whom have been judged not to be terrorists have done.

Well, they have a point. And other people do not. A, it is wrong. Other people do not have constitutional rights, but if they are in the United States, they do. If they are in Guantanamo Bay, they have constitutional rights. The Supreme Court has already said that.

So the question here is: Are we going to bring them to a facility in the United States, a supermax facility? No one has escaped from them. It is cheaper. It saves the taxpayers a lot of money. Give them a military tribunal or a Federal trial and do what is right. That is what is at stake here.

I will say one other thing. Our military tribunals, and time and time again that the stain of Guantanamo, besides being a stain on our honor, is one of the greatest recruiting tools the terrorists have. They point to Guantanamo. They say: Look at those American hypocrites. They are persecuting Muslims. They are persecuting non-Americans.

Well, they have a point. And other people think they have a point, and they get angry. They get radicalized, and they become terrorists against us. So why not, for the 120-odd people who are still at Guantanamo, the majority of whom have been judged not to pose a threat to this country by our own military authorities, do the right thing? Give them a trial. Throw them in jail for whatever lengthy period of time is indicated if they are guilty. And if they are not, then they ought to be released if they are not guilty of a crime, if they haven’t been terrorists. We have to have some evidence. We can’t simply point to someone and say, “He is guilty of a crime. He is a terrorist.” without some evidence to that fact. That is our tradition. Mr. Chairman, that is what this amendment calls for.

I urge the adoption of the amendment, and I reserve the balance of my time.

Mr. CULBERSON. Mr. Chairman, I rise opposition to the amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. Mr. Chairman, let me point out to all the Members of the House and those listening here this evening that the section Mr. NADLER attempts to strike is the only thing standing between President Barack Obama and his attempt to close Guantanamo Bay and transfer all these killers, these cowards, and these foreign nationals captured on the foreign battlefields either attempting to or having already killed American soldiers. This language that Mr. NADLER is attempting to strike prohibits, says:

None of the funds appropriated by this Act or any other act may be used to construct or acquire or modify any facility in the United States to house any individual transferred into the United States from Guantanamo Bay.

So, Mr. Chairman, we have got two provisions in this Act. We have got a provision to transfer anybody from Guantanamo into the United States—and that amendment, which will be a record vote, will be decisively defeated by the House in a minute—and then this amendment which Mr. NADLER is offering. We have got a provision in this bill for the last several years to make sure that President Obama cannot use Federal hard-earned taxpayer dollars to build a prison facility or modify it to house anybody transferred from Guantanamo.

Now, this is a very cut-throat. This is very simple. Obviously anybody held, if you are in a military tribunal, you get due process. That is not the issue. What Mr. NADLER is attempting to do is to do to men and women in the military tribunal, without hearing, without trial, without constitutional rights. The Supreme Court already said they have constitutional rights. The Supreme Court has already said that.

So these foreign nationals, these psychopaths killers in ISIL are going to be used to build a prison facility or modify it to house anybody transferred into the United States to house these people. So that is what the debate needs to be about. What you are attempting to strike is a prohibition against using our taxpayers’ hard-earned dollars to build a prison to house these killers.

Mr. FATTAH. Will the gentleman yield?

Mr. NADLER. I yield to the gentleman from Texas.

Mr. CULBERSON. Thank you, Mr. NADLER, because the section we are dealing with is a prohibition against using our taxpayers’ hard-earned dollars to build a prison facility in the United States to house these people. So that is what the debate needs to be about. What you are attempting to strike is a prohibition against using our taxpayers’ hard-earned dollars to build a prison to house these killers.

Mr. FATTAH. Mr. Chairman, this is an appropriations bill. I just want everybody to know it is $2 million per inmate at Guantanamo. It is a premium facility, $2 million per inmate.

The Acting CHAIR. The time of the gentleman from New York has expired.

Mr. CULBERSON. Mr. Chairman, the question before the House is whether or not our taxpayers’ hard-earned dollars are going to be used to build a prison facility in the United States to house the terrorists and killers and cowards held in Guantanamo Bay. That is the question before us.

Mr. NADLER. Will the gentleman yield?

Mr. CULBERSON. I yield to the gentleman from New York.
Mr. NADLER. Does the gentleman not know what has been testified to repeatedly, that it will be a lot cheaper for the taxpayers' money to hold them in the United States than in Guantanamo?

Mr. CULBERSON. Well, that may be your opinion, sir, but we will not, and will not ever, afford constitutional rights or house foreign fighters captured on a foreign battlefield who have been killing the men and women of the Armed Forces of the United States on a foreign battlefield, we are never going to house them in a prison in the United States. We are never going to give them constitutional rights. Those rights are reserved to the people of the United States and the people who commit crimes within the boundaries of the United States.

The 19th terrorist, who didn’t quite make it that day, was captured in the United States, and he was given a trial, as he should be. The Constitution extends due process in a military tribunal, to these individuals have been given due process in military tribunals at Guantanamo Bay. That is the way it always has been and always should be.

And certainly the Members of this House have repeatedly in the past, and I am confident they will vote again tonight to defeat this amendment to reaffirm that these precious rights in the United States Constitution are reserved for the people of the United States and will never be extended to enemy foreign fighters, particularly these cowards who have been waging war against women and children and won’t come out and fight our men and women on the battlefield in open combat.

There is no way in this bill is the only thing standing between President Barack Obama in his attempt to close Guantanamo Bay and move these people into prison facilities in the United States. So I urge Members to vote against Mr. NADLER’s amendment.

I yield back the balance of my time.

The Acting CHAIR. The time of the gentleman has expired.

The Acting CHAIR. The question is whether the gentleman from New York (Mr. NADLER). The amendment was rejected.

Mr. CULBERSON. Mr. Chairman, I move to strike the last word and enter into a colloquy with the gentleman from Texas (Mr. BABIN) and the gentleman from Florida (Mr. POSEY).

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. Mr. Chairman, I yield initially to my friend, Mr. BABIN, and then will yield to Mr. POSEY.

Mr. BABIN. Mr. Chairman, I am seeking an increase of funding for the Commercial Crew Program in our Science budget.

For the past several years, the United States taxpayers have been paying over $70 million a person to launch our astronauts to the International Space Station on Russian vehicles from Russian soil. We must end this reliance on the Russians as quickly as possible. We must set priorities within the NASA budget to make sure that the American space station is launched from American soil on American vehicles sooner rather than later.

When it comes to spending within our NASA budget, it is important that we set a precedent of what we think is the technological thing to do. NASA is the only U.S. Government agency that has human spaceflight as its mission. If NASA doesn’t do it, then it simply is not going to be done.

This investment in Commercial Crew, which is managed out of Johnson Space Center in the 36th congressional District, would aid the development of U.S. human spaceflight capabilities and lay the foundation for future commercial transportation and end our dependence on the Russians.

I look forward to working with you, Mr. Chairman, to ensure that we give this program the funding necessary to end our reliance on the Russians.

Mr. CULBERSON. Thank you, Mr. BABIN. It is important that we work through this process in conference and the additional funding becomes available—and I do expect that as we move forward, if we have additional funding, we are going to make sure that any gaps or holes, whether it be in the Orion program or the Orion program or elsewhere, we are going to fill those holes and make sure that we are given as much support as we possibly can to Commercial Crew and to Orion.

We funded the Orion program at the level the President requested. And if we get additional funds, we will do our very best to hit that mark also for the Commercial Crew Program.

Mr. FATTAH. Will the gentleman yield?

Mr. CULBERSON. I yield to the gentleman from Pennsylvania.

Mr. FATTAH. I am very supportive of the Commercial Crew Program, and I think that there is a shortfall in that particular program. I think that is what the gentleman is referring to in his hope that we can address that shortfall so that we don’t have to spend what has now been about $500 million with our Russian counterparts in order to transport astronauts to the International Space Station.

Mr. CULBERSON. We will work together. If we, as we say, find additional funds, we will do everything we can to help Orion.

Mr. BABIN. Thank you for your consideration, Mr. Chairman. Mr. CULBERSON. I will be happy also to yield to my good friend, Mr. POSEY, for a colloquy as well.

Mr. POSEY. Thank you, Mr. Chairman.

This bill adequately funds the Space Launch System, the rocket which will carry the Orion capsule into space, and I am grateful for that.

It adequately funds exploration ground systems, which are essential to getting Orion off the ground, and I am really grateful for that.

But without sufficiently funding the Orion capsule, we will be delaying the deep space exploration missions. Orion is a very unique and very special spacecraft, unlike any we have ever sent into space, possessing capabilities to carry astronauts deeper into space than humans have ever gone before. These technological engineering challenges are enormous, and it requires proper funding to get the job done.

It is critical that Orion receives adequate funding to remain on schedule. My rough calculations indicate this funding level, so much less than authorized, can result in the delay of having Orion online by as much as 2 years. Imagine having our space launch systems ready to go, our exploration ground systems ready to go, and no space capsule ready to fly for 2 more years after that. That would be disastrous.

Unfortunately, when Congress assigns tasks to NASA and does not provide adequate funding, American’s space program gets criticized and maligned for being behind schedule, when it is actually Congress that caused the problem.

I thank my colleagues for their work on this issue, and I am hopeful that we can work together to make certain Orion gets enough funding to stay on schedule to carry humans into space, deep space, by 2021.

I thank Chairman CULBERSON for his work on this and his assurance that we can work together to secure adequate funding to keep Orion on schedule.

Mr. CULBERSON. I want to assure the gentleman that we will do so. I want to make sure to make the RECORD clear that we funded Orion at the level requested by NASA. We fully funded in exactly the number they asked for. If additional funds become available, and it looks like it is really going to help them speed up the program, we will certainly make those funds available to them, because we want to get Americans back into space as quickly as possible on an American built rocket. That is why you have seen us plus up the SLS heavy launch rocket program to accelerate that program, which will have so many uses. But, of course, you know I don’t know there is any stronger advocate for NASA and America’s space program than I am and you gentlemen are. I look forward to working with you.

The Acting CHAIR. The time of the gentleman has expired.

Mr. PLUMMER. I move to strike the last word with the gentleman from Texas.

The Acting CHAIR. Under the rule, the gentleman cannot strike the last word.

Mr. CULBERSON. Do I have the ability to strike the last word again to complete additional colloquy with the gentleman from Colorado?
The Acting CHAIR. Only the gentleman from Texas and the gentleman from Pennsylvania can move to strike the last word under the rule.

Mr. CULBERSON. Mr. Chair, I move to strike the last word and enter into a colloquy with the gentleman from Colorado.

Mr. PERLMUTTER. I thank the gentleman from Texas, and I thank my friend from Florida for speaking up on behalf of Orion.

Orion is America’s new spacecraft to take astronauts further into space than ever before and land our astronauts on Mars.

Orion had its maiden test flight this past December, and it was a resounding success. The Orion program, as Mr. Posey stated, needs a full funding for this year, and we believe it to be $1.35 billion for fiscal year ’16 to meet those needs.

I appreciate the committee including language in the committee report requiring NASA to provide an assessment of these challenges, but Congress needs to pass the budget. The resources needed in fiscal year ’16 to mitigate the entire risk and move this project forward.

So I thank the gentleman from Texas for his support of the Orion program. We need to make sure it has sufficient resources to do the job.

Mr. CULBERSON. I look forward to working with you and my colleague from Texas and our colleagues from Florida in ensuring everyone in this House supports NASA and the manned space program. And I will work closely with you and my colleagues to ensure that any additional funding that Orion needs that they receive as we move through this process and go into conference.

As you noted, the bill that we have before us tonight funds Orion at the level requested by NASA. We gave them exactly what they asked for. We also asked them to give us reports on making sure they can meet their deadlines for testing the spacecraft and meeting their milestones. As they prove that to us and as we get further along and additional funds get available, we hope they will ensure our astronauts to Mars.

Mr. CULBERSON. I thank the gentleman. I look forward to standing on top of this so that as they move forward, we have sufficient funding to really propel this project forward and get our astronauts to Mars.

Mr. CULBERSON. I thank the gentleman. America will never surrender the high ground—outer space is the high ground of the 21st century—and we are going to make sure to preserve America’s leadership in space exploration, both manned and unmanned.

I yield back the balance of my time.
and the Office of Science and Technology Policy shall provide a monthly report to the Committees on Appropriations of the House of Representatives and the Senate on any official travel by any employee of such Department or agency, including the purpose of such travel.

SEC. 540. (a) Funds made available in this Act may be used to facilitate, permit, license, or promote exports to the Cuban military or intelligence service or to any officer of the Cuban military or intelligence service, or an immediate family member thereof.

(b) This section does not apply to exports of goods permitted under the Trade Sanctions Reform and Export Enhancement Act of 2000 (22 U.S.C. 7201 et seq.).

(c) In this section—

(1) the term ‘‘Cuban military or intelligence service’’ includes, but is not limited to, the Ministry of the Revolutionary Armed Forces, and the Ministry of the Interior, of Cuba, and any subsidiary of either such Ministry; and

(2) the term ‘‘immediate family member’’ means a spouse, sibling, son, daughter, parent, grandparent, grandchild, aunt, uncle, niece, or nephew.

AMENDMENT OFFERED BY MR. FARR

Mr. FARR. Mr. Chairman, I have an amendment at the desk to strike section 540.

The Acting CHAIR. The amendment is withdrawn.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

SEC. 533. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network is viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, adjudication, or other law-enforcement related activity.

SEC. 534. The Departments of Commerce and Justice, the National Aeronautics and Space Administration, the National Science Foundation, the Commission on Civil Rights, the Equal Employment Opportunity Commission, the International Trade Commission, the General Services Corporation, the Marine Mammal Commission, the Offices of Science and Technology Policy and the United States Trade Representative, and the State Justice Institute shall submit spending plans, signed by the respective department or agency head, to the Committees on Appropriations of the House of Representatives and the Senate within 45 days after the date of enactment of this Act.

SEC. 535. None of the funds made available by this Act may be used to relinquish the responsibility of the National Telecommunications and Information Administration with respect to Internet domain name system functions, including responsibility with respect to the authoritative root zone file and the Internet Assigned Numbers Authority functions.

SEC. 537. None of the funds made available by this Act may be used to implement the Arms Trade Treaty until the Senate approves a resolution of ratification for the Treaty.

SEC. 536. None of the funds made available by this Act may be used to relinquish the responsibility of the National Telecommunications and Information Administration with respect to Internet domain name system functions, including responsibility with respect to the authoritative root zone file and the Internet Assigned Numbers Authority functions.

SEC. 538. No funds provided in this Act shall be used to deny the Inspectors General of the Departments of Commerce and Justice, the National Aeronautics and Space Administration, and the National Science Foundation access to all recorded documents, and other materials in the custody or possession of the respective department or agency or to prevent or impede the particular Inspector General’s access to such records, documents, and other materials, unless in accordance with an express limitation of section 6(a) of the Inspector General Act, as amended, consistent with the plain language of the Inspector General Act, as amended. The Inspectors General of the Department of Commerce and Justice, the National Aeronautics and Space Administration, and the National Science Foundation shall report to the Committees on Appropriations of Representatives and the Senate within five calendar days any failures to comply with this requirement.

SEC. 539. The Department of Commerce, the National Aeronautics and Space Administration, the National Science Foundation, and the Office of Science and Technology Policy shall provide a monthly report to the Committees on Appropriations of the House of Representatives and the Senate on any official travel by any employee of such Department or agency, including the purpose of such travel.

SEC. 540. (a) Funds made available in this Act may be used to facilitate, permit, license, or promote exports to the Cuban military or intelligence service or to any officer of the Cuban military or intelligence service, or an immediate family member thereof.

(b) This section does not apply to exports of goods permitted under the Trade Sanctions Reform and Export Enhancement Act of 2000 (22 U.S.C. 7201 et seq.).

(c) In this section—

(1) the term ‘‘Cuban military or intelligence service’’ includes, but is not limited to, the Ministry of the Revolutionary Armed Forces, and the Ministry of the Interior, of Cuba, and any subsidiary of either such Ministry; and

(2) the term ‘‘immediate family member’’ means a spouse, sibling, son, daughter, parent, grandparent, grandchild, aunt, uncle, niece, or nephew.

AMENDMENT OFFERED BY MR. FARR

Mr. FARR. Mr. Chairman, I have an amendment at the desk to strike section 540.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Strike section 540 (page 97, line 18 through page 98, line 10).

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. FARR. Mr. Chairman, I am serving my 22nd year in the United States Congress, and I have never seen a provision in an appropriations bill like this.

This amendment in there could be labeled the ‘‘family feud.’’ There is only one Member of Congress who is related to anybody in the leadership in the military branch of the person who put this amendment in.

What does it do? It prohibits businesses from doing business in Cuba because it makes it almost impossible for any business equipment. That is why the United States Chamber of Commerce; the National Foreign Trade Council; the Emergency Committee for American Trade; USA Engage, which is a trade group; and CubaNow, which is Florida’s Cuban Americans, are all opposed to this provision of the bill and support my amendment to strike it.

Mr. Chairman, I submit for the RECORD letters from CubaNow which are in support of my amendment.

DEAR CONGRESSMAN FARR: We urge that House Members vote to strip Section 540 from H.R. 2578, Commerce, Justice, Science, and Related Agencies Appropriations Act, 2016.

This provision would turn back the strategic effort to further progress that the United States and Cuba, harming advancements to increased commerce with Cuba.

Majorities of Americans, Cuban-Americans, and Cubans support normalizing relations and ending the unilateral trade embargo. Bipartisan support exists in both the House and Senate of the business community and the majority of civil society groups focused on Cuba.

The question of Cuba policy should be approached deliberatively in the full context of hemispheric relations.

Please support the Farr amendment to strip Section 540 from H.R. 2578.

Sincerely,

CubaNow: Emergeny Committee for American Trade; Engage Cuba; Manchester Trade Limited, Inc.; National Foreign Trade Council; U.S. Chamber of Commerce; USA*Engage.

#CubaNow Statement on Administration Vetoes Threats Over Cuba Policy

[From #CubaNow]
any of those people are working for any of the agencies that this bill restricts from.

It hurts American businesses, and it hurts Cubans. Let’s stop living in the past. Let’s strike this provision in the bill and the amendment.

I reserve the balance of my time.

Mr. DIAZ-BALART. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. DIAZ-BALART. Mr. Chairman, I am glad this amendment is here.

President Obama said—and he said this a while ago—that his policies are to help promote the Cuban people’s independence from Cuban authorities.

Now, no one can claim that the Cuban military and the Cuban intelligence community and their direct family members are not the Cuban authorities. Nothing is more authority than two things. Let’s unmask what this amendment does.

The language in the mark, in the bill, simply affirms that we should not send exports—I will make this very clear—to the Cuban military or the intelligence community or their immediate families. By unmasking this amendment, what this amendment is saying is no, no, no, that we do support and that we do want to do business with the Cuban military and the Cuban intelligence services and their immediate family members.

By the way, it is the same military and intelligence services that brutalized the Cuban people, that beat pro-democracy demonstrators, that beat a number of American citizens in Panama recently, that illegally smuggles weapons, which has members of that Cuban military under indictment here in a U.S. Federal court for the murder of American citizens.

I am glad this amendment is here because this amendment masks the underlying issue, and the chairman’s mark specifically deals with—again, as I mentioned—the Cuban military and the intelligence community and their immediate relatives.

If this amendment were to happen, what we would be saying is that we want to do business, not with Cuba and not with the Cuban people, but with the Cuban military and the intelligence services and their direct relatives. Mr. Diaz-Balart. I am glad this amendment is here because it does unmask the issue.

Mr. Chairman, I yield the balance of my time to the distinguished gentleman from Florida (Mr. CURBELO).

Mr. CURBELO of Florida. I thank my colleagues and yielding.

Mr. Chairman, I rise in opposition to the Farr amendment.

Section 540 is critical in ensuring that exports to Cuba reach and benefit the Cuban people, not the regime’s military and intelligence services, which actively and aggressively collaborate with our enemies throughout the world. Still today, Cuba has one of the most robust spy networks in the United States. These are not the people we should be rewarding with American business.

The most recent State Department report on Cuba’s human rights conditions, arbitrary arrests, selective prosecution, and the denial of fair trials continue in the country.

The iron fist of the Castro regime has cracked down on all democratic activists with over 2,000 dissidents arrested since the President’s December 17 announcement. Just this past Sunday, 59 members of the Ladies in White were arrested along with 25 other human rights activists. Is their crime? It was attending Sunday mass, Mr. Chairman.

The oppression is not limited to Cuba’s borders. According to high-level military defectors from Venezuela’s Government, there are between 2,700 and 3,000 Cuban military and intelligence agents aiding in the crackdown against Venezuelan protesters and opposing American interests in that country.

These are the thugs—the very individuals—who would most benefit from the Farr amendment.

Mr. Chairman, I understand that there is a diversity of views in this Chamber with regard to our broader Cuba policy. What I cannot understand is why anyone would want to reward the individuals responsible for the deaths of Americans, for the oppression of the Cuban people, for spying against our country.

I respectfully ask my colleagues to oppose the Farr amendment.

Mr. Farr, Mr. Chairman, rhetoric is really cheap here, but I would urge Members to read the bill and to read the second term. It reads:

The term “Cuban military intelligence service” includes but is not limited to the Ministry of the Revolutionary Armed Forces and the Ministry of Interior of Cuba and any subsidiary of such ministry.

The term “immediate family” means spouse, sibling, son, daughter, and so on.

The analysis by our own Library of Congress says that this would severely hurt the consumer communication devices that would be sent to families in Cuba as part of the negotiations that are going on right now between the United States and the administration.

It would also hurt materials, equipment, tools used by the private sector to construct or to renovate privately owned businesses, tools and equipment for private sector agriculture activity, tools and equipment and supplies and instruments used by the private sector.

This provision just kills the ability for the United States to open up trade that every other country has. This is just a “family feud” amendment. This is not good business, and that is why the business community is opposed.

Mr. Chairman, how much time do I have remaining?

The Acting CHAIR (Mr. McCLINTOCK). The gentleman from California has 2 minutes remaining.

Mr. FARR. I yield 1½ minutes to the distinguished gentlewoman from California (Ms. Lee).

Ms. Lee. I thank my colleague for yielding.

Mr. Chairman, I rise in strong support of this amendment.

Once again, the other side is really pushing the envelope in terms of characterizing what this amendment actually does.

This amendment would strike provisions included in this bill that would prohibit the Department of Commerce from issuing licenses for new types of exports that are permitted under the Obama administration’s new policy of engagement with Cuba. This provision is not only an inappropriate policy rider in this appropriations bill, but, if included, it would put this House, once again, on the wrong side of history.

Supporters of this provision claim that it would only prohibit exporting to a company that works with the Cuban military, intelligence services, and their immediate families. The reality is that the effects of this provision are much, much broader.

It would make it difficult for the Department of Commerce to issue licenses that would enable companies that want to export to Cuba, U.S. companies that create jobs in the United States. This includes equipment and supplies for entrepreneurs that are related to running their own businesses here in the United States and it includes the materials, equipment, and tools to construct or renovate privately owned businesses.

Simply put, this rider is wrong. It is wrong for business, and it certainly should not be part of a bill that funds our critical Commerce, Justice, and Science programs.

The majority of Americans and Cubans agree that U.S. policy toward Cuba has been an unpopular failure for more than 50 years. Instead of including misguided provisions that undermine the process of normalizing relations with Cuba, we should be moving toward increased exchanges, formal relations with our neighbors, and creating good-paying jobs in the United States by allowing the exporting of U.S. products to Cuba.

Mr. DIAZ-BALART. Mr. Chairman, I yield the balance of my time to the gentleman from Texas (Mr. CULBerson).

Mr. CULBERSON. Mr. Chairman, I want to point out the language Mr. FARR is attempting to strike.

It reads:

No funds made available to do business with the Cuban military or the intelligence service.

The only thing standing between President Barack Obama’s attempt to override the will of the people as expressed by Congress, which is we will not do business with Cuba, is the Federal law. President Obama is attempting to change that.

The only thing stopping President Obama from doing business with Cuba is this language, and the language says...
you cannot do business with the Communist military in Cuba or with the Communist intelligence services.

It is very straightforward. If you want to do business with the private sector in Cuba, go ahead. All this says is that you cannot do business with the Communist military or with the Communist intelligence services.

Therefore, we urge Members to vote “no” against this amendment.

The Acting CHAIR. The time of the gentleman from Florida has expired.

Mr. FARR. It is very interesting that the capitalist society out there supports my amendment; the U.S. Chamber of Commerce, the National Foreign Trade Council, Engage Cuba, the Emergency Committee for American Trade. They wrote a letter that they urge the House Members to strip section 540 from H.R. 2578, the Commerce, Justice, Science, and Related Agencies Appropriations Act.

The provision would turn back the strategic effort to normalize relations between the U.S. and Cuba, harming advancements to increase commerce with Cuba. The majorities of Americans, Cuban Americans, and Cubans support the normalization of relations and any unilateral trade embargo.

Bipartisan support exists in both the House and the Senate to increase commerce with Cuba. The question of Cuba policy should be approached deliberatively and in the full context of hemispheric relations.

I urge the support of this amendment.

The Acting CHAIR. The time of the gentleman has expired.

Mr. FATTAH. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. Mr. Chairman, we spend a lot of time making something simple complex. The problem here is that, in a small nation, an island like Cuba, trying to discern whether somebody is related—a cousin, a nephew, a so-called relative who might work for some entity—is very problematic.

What this restriction would basically mean is that you wouldn’t be able to do any business. That is notwithstanding everything else, notwithstanding the failure of the last 50 years, notwithstanding the fact that everybody else in the world is doing business in Cuba, this language would prevent us from being able to do any business there because you would not be able to determine whether there was a blood connection between some person you were selling a cell phone to and someone who, at some point, was a grunt in the military.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. FARR).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. FARR. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR, Pursuant to clause 2 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

The Clerk will read.

The Clerk reads as follows:

"Mr. SCHWEIKERT. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR (Mr. CULBERSON of Florida). The Clerk will report the amendment.

The Clerk reads as follows: Add at the end of the bill (before the short title), the following: S 542. The amount by which the applicable allocation of new budget authority made by the Committee on Appropriations of the House of Representatives under section 302(b) of the Congressional Budget Act of 1974 exceeds the amount of proposed new budget authority is $0.

AMENDMENT OFFERED BY MR. SCHWEIKERT"

Mr. SCHWEIKERT. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Arizona and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. CULBERSON. Mr. Chairman, I reserve a point of order.

The Acting CHAIR (Mr. CURBelo of Florida). The Clerk will report the amendment.

The Clerk reads as follows: Add at the end of the bill (before the short title), the following: S 542. The amount by which the applicable allocation of new budget authority made by the Committee on Appropriations of the House of Representatives under section 302(b) of the Congressional Budget Act of 1974 exceeds the amount of proposed new budget authority is $0.

AMENDMENT OFFERED BY MR. SCHWEIKERT"

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Arizona and a Member opposed each will control 5 minutes.

Mr. SCHWEIKERT. Mr. Chairman, I will try to make this very quick because I know there is a point of order.

This was one of those moments where there was a concern about new adopted technology. We have all heard the stories of some of these, shall we call them, dummy cell sites that are basically used to capture the phone calls because they produce the largest, most powerful signal. Now, some of this technology that has been being used at the Federal Government level is being transferred to State and local law enforcement.

The amendment is meant to be very simple and just says for the Federal Government to design, for Justice to design, protocols that the constitutional rights are being protected, that if a local law enforcement is going to use this capture technology, that they better darn well be following the Constitution that technology is transferred, that there is an understanding, mechanics of that being laid out.

We tried to make the amendment as simple and clear-cut as possible.

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

Pursuant to clause 2 of rule XXI, I do share the gentleman’s concern. I think it is very important that, as the House debates these matters, that we remember that our most important right as Americans is to be left alone and our right of privacy. I am deeply concerned about these cell phone towers that are spoofed, that are designed to spoof our phones, and the government intruding into our zone of privacy that is now compromised by these electronic devices in so many ways.

However, House rules state in pertinent part: “An amendment to a general appropriations bill shall not be in order if changing existing law.”

This amendment does require a new determination by its express terms, and while I will certainly work with the gentleman as we move forward in conference to address this concern, make sure our privacy rights are protected, I do ask at this time for a ruling from the Chair on the substance of my point of order.

The Acting CHAIR. Does any other Member wish to be heard on the point of order?

The Chair recognizes the gentleman from Arizona.

Mr. SCHWEIKERT. Mr. Chairman, with the chairman’s friendship and commitment and where he is on understanding the importance of the issue, I ask unanimous consent to withdraw the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Arizona?

There was no objection.

The Acting CHAIR. The amendment is withdrawn.

AMENDMENT OFFERED BY MR. ENGEL"

Mr. ENGEL. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk reads as follows: At the end of the bill (before the short title), insert the following: S 542. The amount by which the applicable allocation of new budget authority made by this Act may be expended during fiscal year 2016 for the shutdown of the Stratospheric Observatory for Infrared Astronomy or for the development of technology to transfer cell site simulators, or IMSI Catcher, or similar cell phone tower mimicking technology to state and local law enforcement that haven’t adopted procedures for the use of such technology that protects the constitutional rights of citizens.

Mr. FARR. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. The noes have it.

The Acting CHAIR (Mr. CURBelo of Florida). The Clerk will report the amendment.

The Clerk reads as follows: Add at the end of the bill (before the short title), the following: S 542. The amount by which the applicable allocation of new budget authority made by the Committee on Appropriations of the House of Representatives under section 302(b) of the Congressional Budget Act of 1974 exceeds the amount of proposed new budget authority is $0.

AMENDMENT OFFERED BY MR. SCHWEIKERT"

The Acting CHAIR. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The time of the gentleman has expired.

Mr. FATTAH. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. Mr. Chairman, we spend a lot of time making something simple complex. The problem here is that, in a small nation, an island like Cuba, trying to discern whether somebody is related—a cousin, a nephew, a so-called relative who might work for some entity—is very problematic.

What this restriction would basically mean is that you wouldn’t be able to do any business. That is notwithstanding everything else, notwithstanding the failure of the last 50 years, notwithstanding the fact that everybody else in the world is doing business in Cuba, this language would prevent us from being able to do any business there because you would not be able to determine whether there was a blood connection between some person you were selling a cell phone to and someone who, at some point, was a grunt in the military.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. FARR).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. FARR. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR, Pursuant to clause 2 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

The Clerk will read.

The Clerk reads as follows:

"Mr. SCHWEIKERT. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR (Mr. CURBelo of Florida). The Clerk will report the amendment.

The Clerk reads as follows: Add at the end of the bill (before the short title), the following: S 542. The amount by which the applicable allocation of new budget authority made by the Committee on Appropriations of the House of Representatives under section 302(b) of the Congressional Budget Act of 1974 exceeds the amount of proposed new budget authority is $0.

AMENDMENT OFFERED BY MR. SCHWEIKERT"

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from New York and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.
Mr. ENGEL. Mr. Chairman, on May 24, 2011, President Obama issued a memorandum on Federal fleet performance that required all new light-duty vehicles in the Federal fleet to be alternative fuel vehicles, such as hybrid, electric, methanol, or biofuel, by December 31, 2015.

My amendment echoes the President's memorandum by prohibiting funds in this act from being used to lease or purchase new light-duty vehicles unless that purchase is made in accordance with the President's memorandum. I have submitted identical amendments to 16 different appropriations bills over the past few years, and every time they have been accepted by both the majority and the minority, so I hope my amendment will receive similar support today.

Global oil prices are down. We no longer pay $147 per barrel. But despite increased production here in the United States, the global price of oil is still determined by OPEC. Spikes in oil prices have profound repercussions for our economy. The primary reason is that our cars and trucks run only on petroleum. We can change that with alternative technologies that exist today.

The Federal Government operates the largest fleet of light-duty vehicles in America, over 633,000 vehicles. Nearly 50,000 of these vehicles are within the jurisdiction of this bill, being used by the Department of Commerce, Department of Justice, and the National Science Foundation.

When I was in Brazil a few years ago, I saw how they diversified their fuel by greatly expanding their use of ethanol. People there can drive to a gas station and choose whether to fill their vehicle with gasoline or with ethanol or some other mix. They make their choice based on cost or whatever criteria they deem important. I want this same choice for American consumers.

That is why I am proposing a bill this Congress, as I have in the past, which will provide for cars built in America to be able to run on a fuel instead of, or in addition to, gasoline. It doesn't cost much at all; and if they can do it in Brazil, we can do it here.

In conclusion, expanding the role these alternative technologies play in our transportation economy will help break the leverage that foreign government-controlled oil companies hold over Americans. It will increase our Nation's domestic security and protect consumers. I ask that my colleagues support the amendment. I reserve the balance of my time.

Mr. CULBERSON. Mr. Chairman, I yield to the gentleman from Pennsylvania (Mr. FATTAH), my friend from Philadelphia.

Mr. FATTAH. We had a big celebration at the Ben Franklin Institute in Philadelphia for electric cars, and there was such a variety of vehicles. Alternative fuels are important. I think that the gentleman's amendment is one that we have accepted in previous appropriations bills, and I concur with the chairman that we would accept it in this case.

Mr. CULBERSON. I urge Members to support the amendment and urge its adoption.

I yield back the balance of my time.

Mr. ENGEL. Mr. Chairman, I conclude and say I thank my colleagues and look forward to continuing to work together with them in a bipartisan fashion for the good of the American people.

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. ENGEL).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. POE OF TEXAS

Mr. POE of Texas has an amendment at the desk regarding the Fourth Amendment to the Constitution, with multiple cosponsors.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

Sec. ___. (a) Except as provided by subsection (b), none of the funds made available by this Act for the Department of Justice or the Federal Bureau of Investigation may be used to mandate or request that a person (as defined in section 101(m) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801(m)) alter the product or service of the person to permit the electronic surveillance (as defined in section 101(f) of such Act (50 U.S.C. 1801(f)) of any user of such product or service.

(b) Subsection (a) shall not apply with respect to mandates or requests authorized under the Communications Assistance for Law Enforcement Act (47 U.S.C. 1001 et seq.).

Mr. POE of Texas (during the reading). Mr. Chair, I ask unanimous consent to dispense with the reading of the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. POE of Texas. Mr. Chairman, I have a simple, straightforward amendment to protect the Fourth Amendment of the U.S. Constitution. This is a very similar amendment that passed DOD Appropriations last year.

I would like to thank Representatives LOFGREN, MASSIE, CONYERS, AMASH, NADLER, FARENTHOLD, POLIS, LABORDOR, and LIEU for working with me as cosponsors on this important amendment.

James Comey, the Director of the Federal Bureau of Investigation, recently asked Congress to update the law to ensure that the Federal Government can access information from Americans' cell phones and personal electronic devices in the future.

Many U.S. technology companies have also been approached by the government's agents, either through intimidation or just request to create back doors on their products' encryption system so the government can access it later down the road. We have all learned recently about the government's abuse of section 215 under the PATRIOT Act and abuse under section 702 of the FISA Amendments Act.

Basically what this amendment does, Mr. Chairman, is prohibit the government from going to Apple, for example, and telling Apple that they want an encryption in cell phones that they sell to Americans, an encryption that would allow the FBI to have access to this information, which would include our conversations, not just include emails, but it would also include text messaging as well.

This is a straightforward amendment. This prohibits the Federal Government—specifically, the FBI—from going in and receiving this information. Privacy is important. It is under our Constitution. There should be no doubt that the Federal Government should have no access to our cell phones and the information that is in those cell phones. That is what this amendment does.

I reserve the balance of my time.

Mr. CULBERSON. I ask unanimous consent to claim the time in opposition, but I do not oppose the gentleman's amendment. I agree with his amendment and encourage the House to support it.

Ms. LOFGREN. Mr. Chairman, I ask unanimous consent to claim the time in opposition, but I do not oppose the gentleman's amendment. I agree with his amendment and encourage the House to support it.

Ms. LOFGREN. Mr. Chairman, I had also sought to seek the time in opposition, although I also do not oppose the amendment.

Mr. CULBERSON. Does the gentleman support the amendment?

Ms. LOFGREN. I support the amendment, as does the gentleman.

Mr. CULBERSON. That was my point. I think it is important. We are here in this Chamber looking at George Mason, who refused to sign the Constitution because he was so concerned that the power of the Federal Government would just absolutely obliterate—Jaime G. C. Act the Constitution. The gentleman will suspend.

Does the gentleman withdraw her reservation?

Ms. LOFGREN. Mr. Chairman, further reserving, I was wondering if the Democratic side of the aisle might also split the time. That is why I was reserving the right to object.

Mr. CULBERSON. Mr. Chairman, I would be happy to split the time with
the gentlemwoman. I am claiming the
time in opposition, although I do not
oppose it. The gentleman still has some
time remaining on his initial time. I
will yield in just a moment, but I real-
ly think it is important in this age of
electronic communication that we in the
Congress debate and be keenly aware of
the new boundaries.

The Acting CHAIR. The gentleman
will suspend.

Ms. LOFGREN. I withdraw my re-
ervation.

The Acting CHAIR. The reservation
is withdrawn.

Without objection, the gentleman
from Texas (Mr. CULBERSON) is recog-
nized for 5 minutes.

There was no objection.

Mr. CULBERSON. Mr. Chairman, my
neighbor and good friend, Judge Ted
POE, brings a very important point to
the floor tonight.

In this new era of expanding tech-
nology that now intrudes on every as-
pect of our lives, it is very important
to remember the admonition that Ben-
jamin Franklin gave us—that those
who would surrender a little freedom
to gain a little safety are soon going to
find themselves with neither.

I do find it instructive that we are
here on this House floor looking at
George Mason, who is on the right
here, who refused to sign the Constitu-
tion because he was so concerned the
Federal Government would become om-
nipotent and obliterate the rights of indi-
viduals and the rights of the States
to control those issues that deal exclu-
sively with the States.

My favorite Founding Father, Thom-
as Jefferson, was keenly aware of and
concerned about the power of the Fed-
eral Government. We are entering into
a whole new era now where the govern-
ment has got the ability to intrude on
every aspect of our life.

I share Judge Poe’s concern. I sup-
port the amendment, and I urge the
House to support it. If the FBI has a
court order, if the National Security
Agency gets a court order, I believe
they could get access to what they
need to get access to. Just like crack-
ing a safe.

In fact, I asked this question, if I
could, of Director Comey in front of
our subcommittee. He said these new
iPhones—I dropped my iPhone 5 and
had to get a 6—he said these can’t be
cracked anymore, you would have to
to open them up like you would a safe,
as you had to order safe, I bet, opened
on occasion, Judge Poe.

So I agree with the amendment, and
I yield the balance of my time to the
gentlewoman from Texas (Ms. LOF-
GREN).

Ms. LOFGREN. I thank the gen-
tleman for yielding.

As Mr. POE recognized, this is a very
diverse group of authors who don’t
agree with the amendment, but this is very
important for a reason.

First, it is fundamental that our pri-
vacy be protected; that the Fourth
Amendment be adhered to. Secondly, we all know—and if you ask any com-
puter scientist, they will tell you—that
once the vulnerability is introduced for
a good reason, it is available for hack-
ing for very bad reasons. Finally, for
competitiveness. Think how competi-
tive it is to crack encryption, and pro-
duct around the world when everyone knows that it is compromised. Not a really
good marketing tool.

Last year, as Mr. POE mentioned, we
had almost precisely this amendment on
the docket as an amendment to the DOD appropriations. What was the vote
on that amendment? It was 293–123;
overwhelming.

So I am hoping that Members will
not flip-flop, that they will, in fact,
vote the way they did last year.

And I will just go a little trip down
memory road. When I was first elected
to the Congress, I took my oath of
office January 4, 1995, and I met Bob
GOODLATTE for the very first time. And
he and I went all through this Congress
try and work on decontrol of
encryption.

Although a lot of people we talked to
in 1995 had no idea what we were talk-
ing about when we talked about
encryption, ultimately the bipartisan
effort was successful. We must not let
that successful effort to protect pri-
vacy, to protect technology, be eroded
at this point.

So I look forward to a very strong vote
on this side. I think it is important
that we have a vote, even though there
is agreement, just to send the message
to the other body how serious that we are.

Mr. CULBERSON. Our most import-
ant right as Americans is to be left
alone. If you are a law-abiding Amer-
ican, you are secure in your home and
your possessions. Your home is your
castle.

Ms. LOFGREN. Will the gentleman
yield?

Mr. CULBERSON. I yield to the gen-
tlewoman from California.

Ms. LOFGREN. We might not agree
on everything, but I think we agree on
the Fourth Amendment. So this is a
great day for this body to come toge-
ther across the aisle for that pur-
pose. And I thank the gentleman for
yielding.

Mr. CULBERSON. I reserve the bal-
ance of my time.

Mr. FATTAH. Will the gentleman
yield?

Mr. POE of Texas. I yield to the gen-
tleman from Pennsylvania.

Mr. FATTAH. I just wanted to indi-
cate that on behalf of the minority, we
support your amendment and are pre-
pared to agree to it.

Mr. POE of Texas. I yield 1 minute
to the gentleman from Kentucky (Mr.
MASSIE).

Mr. MASSIE. Thank you, Judge Poe,
for introducing this amendment. This
enforcement of the same amendment
that we offered last summer that passed with a veto-proof majority 293–
123.

Back doors are bad for three reasons.
When the government forces companies
to put back doors or weaken their
encryption, it is bad for security be-
cause hackers are going to find these
back doors and other foreign countries
will find these back doors.

It is bad for privacy because the
Fourth Amendment can be violated.
And it is bad for business. As my col-
league ZOE LOFGREN from California
mentioned, it is bad for business be-
cause it makes us less competitive
overseas. Who wants to buy a piece of
defective software that was made de-
fective by our government?

So I urge Members to vote for this
amendment because it would prevent
all of these bad things from occurring.

Mr. POE of Texas. Mr. Chairman,
how much time do I have remaining?

The Acting CHAIR. The gentleman
from Texas has 2 minutes remaining.

Mr. POE of Texas. In conclusion, I
want to thank the minority, Ms. LOF-
GREN, and all the cosponsors on this,
that the chair of the sub-
committee, for their support.

The issue of privacy and the Fourth Amendment has always
required that if the government wants
to search, the government must follow
certain rules. And those rules are that
you must get a warrant from a judge
based on probable cause. That is still
true of the land, as of 2015.

All this amendment does is ensure
the fact that the government—the FBI—follows the Constitution. The
idea that the Federal Government
wants to have encryption in American
handset cell phones so they can have access to
the information is repulsive. So all this
does is keep the Federal Government
out of our business without appropriate
constitutional protections.

I ask for support of this amendment,
and I yield back the balance of my
time.

Mr. CULBERSON. Mr. Chairman, I
just want to reaffirm that, as Judge
Poe has written this amendment, there
is an exception in here that if the gov-
ernment gets a court order, they can
go in and put a back door on the phone
when the judge says there is a compel-
ling reason to do so.

I yield to the gentleman.

Mr. POE of Texas. Certainly. The
law—the Constitution—still applies
that the government must go and get a
warrant based upon probable cause
under the Fourth Amendment. Of
course, there are exceptions to
warrantless search.

Mr. CULBERSON. Reclaiming my
time, the way the amendment is writ-
ten, the government can’t just force all
phone companies to build a back door
to all telephones. You have got to
have a court order on that specific
phone on that specific person. But
before you can do it. That is absolutely rea-
sonable. That is what Mr. Madison and
Mr. Jefferson intended for us to do.
Therefore, I support the gentleman’s amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. POE).

The amendment was agreed to.

**AMENDMENT OFFERED BY MR. POLIS**

Mr. POLIS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk reads as follow:

At the end of the bill (before the short title), insert the following:

Sec. 2. None of the funds made available by this Act may be used to execute a subpoena of tangible things pursuant to section 506 of the Controlled Substances Act (21 U.S.C. 876) that does not include the following sentence: “This subpoena limits the collection of any tangible things (including phone numbers dialed, telephone numbers of incoming calls, and the duration of calls) to those tangible things identified by a term that specifically identifies an individual, account, address, or personal device, and that limits, to the greatest extent reasonably practicable, the scope of the tangible things sought.”

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Colorado and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. POLIS. Mr. Chairman, here in Congress we have just been spending a lot of time and energy discussing NSA surveillance. The American public and Members of Congress in both Chambers—have spoken clearly that the kind of bulk data collection the NSA has engaged in needs to be stopped. However, there is a corresponding change that we need to make with regard to the Drug Enforcement Administration.

In a series of revelations from 2013 to 2015, it came to light that the DEA had for more than 20 years been gathering a vast database of information on American communications. There was no congressional authority for this program and no oversight by Congress or any area of the Federal Government.

Legal experts who weighed in after the program was finally made public have said without hesitation that the program was illegal.

In 2013, the Department of Justice brought this program to an end, but there is nothing to stop the government from resuming it at will unless Congress acts by inserting this language in the appropriations bill. Without this language, the DEA could once again unilaterally sweep up the communications records of millions of Americans.

There is no reason that, as we work to end the unconstitutional surveillance that the NSA has engaged in, we should continue to allow the DOJ to have the very same abuses.

This is the language of a corresponding piece of legislation to something that already passed the House with regard to the NSA by an overwhelming majority.

I urge my colleagues to support our bipartisan amendment that we worked on with Mr. GRIFFITH, Mr. SCHWEIKERT, Mr. NADLER, and Mr. FARENTHOLD to simply prohibit DOJ from using Federal funds to engage in bulk data collection of Americans’ phone records or other data, and I reserve the balance of my time.

Mr. CULBERSON. Mr. Chairman, I claim time in opposition.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. Mr. Chairman, I oppose the idea of bulk data collection. I would like to accept the gentleman’s amendment because of my previous expressed concerns about how we want to make sure we are protecting the privacy of law-abiding Americans.

So I would accept the gentleman’s amendment with the understanding that I would work with him. There may be unintended consequences here that I am not aware of. Judiciary Committee staff is working with our right now to make sure we have got our arms around this.

I want to make sure that if the DEA has a valid court order, a valid subpoena, that they go after lawbreakers and complete their investigations. Again, we want to protect the privacy of law-abiding Americans.

Mr. FATTAH. Will the gentleman yield?

Mr. CULBERSON. I yield to the gentleman from Pennsylvania.

Mr. FATTAH. I think with the understanding that the chairman has laid out, your accepting this amendment would move us forward, and I agree. I think we have a clear understanding that you are accepting it, but we will work together to make sure it doesn’t have any unintended consequences.

Mr. CULBERSON. Reclaiming my time, with that understanding, I want to make sure the right of DEA to get a court order to do their work. With that understanding, I withdraw my opposition and will accept the amendment.

I yield back the balance of my time.

Mr. POLIS. I yield 1 minute to the gentleman from New York (Mr. NADLER), the coauthor of the amendment.

Mr. NADLER. I thank the gentleman for yielding.

I rise in support of this amendment to prevent bulk collection of data at the Department of Justice.

Last month, this House spoke loud and clear that we oppose the National Security Agency’s bulk collection of telephone metadata. Today, the Senate joined us in that judgment, and, together, we have reaffirmed our commitment to the Fourth Amendment and to protecting Americans from unconstitutional government surveillance.

We learned earlier this year that long before the NSA program ban, the Drug Enforcement Administration engaged in its own bulk collection program that provided a model for the NSA to use nearly a decade later. This program included logs of virtually all telephone calls from the U.S. to as many as 116 countries, ostensibly linked to drug trafficking, all without a court order and without authorization from Congress.

Mr. Chairman, enough is enough. Although the DOJ has since shut down this program, there is nothing preventing the Department from renewing it in secret without authorization, as it did before. This amendment would ensure that it remains dormant and that Americans’ privacy remains secure.

I thank Mr. POLIS and the other co-sponsors of the amendment, and I thank the gentleman from Texas for accepting this amendment. I urge my colleagues to support this amendment.

Mr. POLIS. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. FARENTHOLD).

Mr. FARENTHOLD. Mr. Chairman, I rise in support of this amendment and thank my colleague from Texas for agreeing to accept it.

This has been a great victory this week in our ability to work with the Senate to rein in what I believe to be the unconstitutional bulk data collection by the NSA.

Just because we stopped the NSA doesn’t mean we shouldn’t be ever vigilant. With the reports of the DEA engaging in similar activities, it is absolutely appropriate that we use the power of the purse to ensure that this type of spying on American citizens—this bulk data collection—is stopped.

This is no different from the general warrants that were complained about when the King of England would send troops to rifle through people’s desks just looking for stuff. It is the exact same thing in the digital age. I encourage my colleagues to support it and look forward to working with my colleagues in making sure it does become part of this bill.

Mr. POLIS. In conclusion, I want to thank the gentleman from Texas (Mr. CULBERSON). It is, indeed, the intended language and we believe the actual language of the amendment that would not interfere with any valid court orders or warrants. We are happy to work with them in that regard.

The amendment is designed to prevent bulk collection of data, which was never specifically authorized by Congress.

I appreciate the gentleman from Texas accepting the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. POLIS).

The amendment was agreed to.

**AMENDMENT NO. 1 OFFERED BY MRS. BLACKBURN**

Mrs. BLACKBURN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:
At the end of the bill, before the short title, insert the following:

Sec. ___. (a) Each amount made available by this Act, except those amounts made available to the Federal Bureau of Investigation, is hereby reduced by 1 percent.

(b) The reduction in subsection (a) shall not apply with respect to the following accounts:

(1) "Fees and Expenses of Witnesses".

(2) "Public Safety Officer Benefits".

(3) "United States Trustee System Fund".

The Acting CHAIR. Pursuant to House Resolution 287, the gentlewoman from Tennessee and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Tennessee.

Mrs. BLACKBURN. Mr. Chairman, first of all, I want to begin by thanking the committee and Chairman CULBERTSON for their tremendous work that they have put into this bill, identifying ways to reduce spending and to be a good steward of the taxpayers’ money. This bill is $53.4 billion, and I would like to point out that that is $661 million below the President’s request. Good work on behalf of our team.

Now, I am one of those that thinks more needs to be done, especially when we look at the discretionary spending. There is more we should do. My amendment calls for a 1 percent across-the-board reduction. That would reduce the budget authority by $54 million and outlays by $960 million in Fiscal Year 2015.

I am fully aware of the opposition that exists to across-the-board cuts by many of the appropriators, and I have many times stood on this floor and heard how they think this is just a little bit of a cut too much.

However, we are nearly $18.3 trillion in debt. Indeed, Admiral Mullen, on July 6, 2010, said the greatest threat to our Nation’s security is our Nation’s debt.

Getting our spending under control is an important step for us to take. That is why we need to move forward and do what many of our States have done and institute across-the-board cuts to save one penny out of a dollar.

Engage the rank-and-file Federal employees. Have them bring to the table their best ideas. Our children are depending on us to do this in order to maintain the fiscal sovereignty of our Nation.

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

Mr. CULBERSON. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. It is important for the House to oppose this amendment because, as in our personal lives or our business lives, the Appropriations Committee has prioritized the very precious and scarce, hard-earned taxpayer dollars that we are entrusted to appropriate in a manner that they are spent on the most urgent priorities first.

We do not want to cut, as Mrs. Blackburn would, the FBI. We do not want to cut our operations of our cybersecurity forces, as Mrs. Blackburn would. I do not want to cut the work that is being done by our law enforcement officials across the country, as Mrs. Blackburn would.

This amendment would also cut, for example, the good work that is being done by the U.S. Marshals Service. This would cut the 55 new immigration judges that we have included in the bill.

This would cut the amount of money we set aside for the operation of our prison system, of the ATF, all Federal law enforcement agencies that perform such a vital role. We prioritized them and made sure they are protected from cuts.

I would oppose this amendment on the basis that we do not want to cut Federal law enforcement.

We also don’t want to cut our Nation’s investment in the sciences and the National Science Foundation or our work to preserve America’s leadership role in space exploration.

We want to make sure that we are doing all we can to accelerate our work in bringing American astronauts back into space on an American-made rocket as quickly as possible. This amendment would cut NASA.

We have, in the bill, however, cut eliminated dozens of programs that their authorization has expired—or their usefulness has expired. We went in and dramatically cut programs that were not effective anymore, completely eliminated programs.

We found all kinds of savings in this bill, and I am sure that our priorities are ones that the good people of Tennessee that Mrs. Blackburn represents would share. I know her constituents share, as we do, a commitment to law enforcement, to all of these worthwhile programs, and I urge the Members to oppose it.

Mr. PATTEN. Will the gentleman yield?

Mr. CULBERSON. I yield 10 seconds to the gentleman from Pennsylvania.

Mr. PATTEN. I want to say that I concur completely with the chairman, and I am opposed to the amendment.

Mrs. BLACKBURN. Madam Chairman, I appreciate, as I said, the work that the committee has done, but I think it is critical that we realize the burden that we are placing on future generations.

Quite frankly, I think it is rather selfish of this body to force future generations—our children and grandchildren—to pay for the out-of-control spending of today.

Have we done a good job? Yes. Could we do a superlative? Absolutely, we could. Cutting one penny out of a dollar is a wise step. I don’t know of anybody that thinks we are underspent. I know a lot of people that think we are overspent and that we are overtaxed.

What it is going to take in order to get that is a component of our budget and appropriations process that the American people are demanding that we get under control. It is not necessarily a debate about worthiness.

There are lots of good programs and essential programs.

What it is, is a debate about stewardship, making certain that we are focusing and that we are doing the extra work that is necessary to get the spending under control.

I said, this is a $5 billion in discretionary funding that is in this appropriations bill. It is below the President’s request. The committee is to be commended for that.

Taking the step of a percent cut, you are talking about $54 million in budget authority and $340 million reduction in outlays. It is a goal that we should set for ourselves. It is doable. It is attainable.

We should take a playbook and a lesson from the States and the counties and the communities that we represent and make the effort to reduce the spending just a little bit more.

Madam Chairman, I yield back the balance of my time.

Mr. CULBERSON. Madam Chairman, may I inquire as to how much time I have remaining?

The Acting CHAIR (Ms. FOUXX). The gentleman from Texas has 2½ minutes remaining.

Mr. CULBERSON. Madam Chairman, I want to point out also that the amendment before us would cut 1 percent from eliminating the backlog of rape kits that are piling up in local police departments all over the country. We increased funding to eliminate that backlog of rape kits.

We increased funding to help forensic labs at the local level. We increased funding to make sure that programs to prevent violence against women are fully funded. This amendment would cut those funding increases for violence against women.

It is not the annual appropriations bill but our fiscal house in order to secure this Nation for future generations is, yes, indeed, targeted cuts. It is doing to take across-the-board cuts, and it is going to take everybody agreeing that we don’t have a revenue problem, we have a spending problem.

Now, I am one of those that thinks it is imperative that we realize our unavoidable cuts really to the Center.

As I said, this is $5 billion in discretionary funding that is in this appropriations bill. It is below the President’s request. The committee is to be commended for that.

Taking the step of a percent cut, you are talking about $54 million in budget authority and $340 million reduction in outlays. It is a goal that we should set for ourselves. It is doable. It is attainable.

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burden that ObamaCare has placed on individual Americans—it threatens to bankrupt the entire healthcare system—the national debt, and the interest on the national debt.

The American taxpayers are, indeed, taxed too much, but the biggest part of the solution is on those automatic programs that are consuming two-thirds of the Nation’s resources.

In fact, if you pay off all those existing—just paying for these existing programs, the mandatory programs, which you have to think of as America’s mortgage and interest payments, once you pay Social Security, Medicare, Medicaid, interest on the debt, veterans benefits, you are only left with $689 billion to run the entire Federal Government, which is enough money to run the government through July 27.

“National credit card day” is what I call it. July 27 is the day when we run out of existing revenue, and we are living on borrowed money to be paid off by our kids.

A far better way to deal with this problem is to deal with the looming bankruptcy of Medicare, Social Security, and to deal with the national debt and deficit, the two-thirds of the problem out there, and not look at some 1 percent cut on the one-third of the budget that we have already prioritized and cut everywhere we possibly can while protecting law enforcement. We are protecting our investment in the sciences and space exploration.

I urge the Members to reject this amendment, and I would urge the gentlewoman from Tennessee (Mrs. BLACKBURN) to work with us throughout the year as we develop these appropriations bills and help us find cuts in programs and prioritization of funding, rather than bringing the amendment to the floor at the last minute.

I urge Members to vote against this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mrs. BLACKBURN. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to rule XVIII, further proceedings on the amendment offered by the gentlewoman from Tennessee will be postponed.

AMENDMENT OFFERED BY MR. SCOTT OF VIRGINIA

Mr. SCOTT of Virginia. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Tennessee (Mrs. BLACKBURN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mrs. BLACKBURN. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Virginia and a Member opposed each will control 5 minutes.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Virginia and a Member opposed each will control 5 minutes.

Mr. SCOTT. Madam Chair, I yield myself 2 minutes.

Madam Chair, this amendment that I am offering today would repurpose just 1 percent of the funding for the Federal prison system and restore funding for the Office of Juvenile Justice and Delinquency Prevention.

Madam Chair, the underlying bill zeros out both title II formula grants and title V discretionary grants for prevention and early intervention programs, which were funded last year at approximately $70 million. To ensure that our State juvenile justice systems are not irrepairably damaged this amendment would take just 1 percent away from our Federal prison systems, approximately $70 million, to maintain our commitment to prevention and early intervention.

The prison system can take steps to deal with this reduction by limiting duplicate prosecutions or pursuing evidence-based alternatives to incarceration, particularly for first-time offenders. These practices not only will save money, but will also improve public safety.

We have a choice, Madam Chair. We can invest in prisons after the fact, or we can invest in prevention and early intervention before the fact and eliminate what the Children’s Defense Fund calls the Cradle to Prison Pipeline.

Madam Chair, at this point, I yield 2 minutes to the gentleman from California (Mr. CARDENAS).

Mr. CARDENAS. Madam Chair, I appreciate the opportunity to speak to my colleagues and friend Congressman Scott’s amendment and to encourage this body to restore critical funding for the Office of Juvenile Justice and Delinquency Prevention.

This existing appropriations bill decimates funding for title II State formula grants and title V local delinquency prevention programs which are essential investments that are proven to reduce crime.

This amendment would provide $69,515,000, the equivalent of less than 1 percent of the Federal prison budget, which is a small investment when you consider the cost of incarcerating a youth is an average of $88,000 per year. That is hundreds of dollars a day to incarcerate a youth. Evidence-based alternatives to incarceration for youth costs as little as $11 per day.

These proven juvenile crime prevention methods cost pennies compared to the incarceration of our young people.

Members from both parties have espoused the importance of investing in our children. Conservative organizations have been among the loudest advocates for reforming our criminal justice system—in particular, for our young people—to move from an incarceration-based system to one that funds proven research-based alternatives to putting behind bars America’s children. There is a bipartisan consensus on this, ladies and gentlemen.

If this amendment will be withdrawn, I hope we can work together to fund these critical programs to give our children the opportunity to be productive members of our communities, reduce crime, and save billions of tax dollars going forward.

Mr. SCOTT. Madam Chair, I reserve the balance of my time.

Mr. FATTAH. Madam Chair, I claim the time in opposition.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. Madam Chair, I would like to thank the ranking member of the Committee on Education and the Workforce for raising this important issue. I assure him that it is my intention that we will be working between here and the final bill to improve upon this area in the bill.

I thank the chairman for all of his work in this regard.

I yield back the balance of my time.

Mr. SCOTT of Virginia. Madam Chairman, I yield myself the balance of my time.

I thank the gentleman for allowing us to debate because I understand the point of order will be sustained.

There will be other opportunities during the legislative process, as the ranking member of the subcommittee has indicated, to deal with this issue.

The way the bill has been drafted, it was impossible to get an amendment in order, but there will be other possibilities later on in the process, and I would hope the chair and the ranking member will work effectively to make sure that we deal with the choice that we have, whether we are going to just put money away for young people to get in trouble and then deal with it or we can deal with it in advance with prevention and early intervention. This is what this amendment would do.

Madam Chair, if the gentlewoman is going to assert his point of order, I ask unanimous consent to withdraw the amendment and deal with the issue later on in the process.

The Acting CHAIR. Is there objection to the request of the gentlewoman from Virginia?

There was no objection.

AMENDMENT OFFERED BY MS. LEE

Ms. LEE. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

Sec. 119. The amounts otherwise provided by this Act are reduced by the amount made available for Federal Prison Systems—Salaries and Expenses, and in-
SRCS. 5. (a) For each fiscal year after the expiration of the period specified in subsection (b) in which a State receives funds for a program referred to in subsection (c)(2), the State shall require that all individuals enrolled in an academy of a law enforcement agency of the State and all law enforcement officers of the State fulfill a training session on sensitivity each year, including training on ethnic and racial bias, cultural diversity, and police interaction with the disabled, mentally ill, and new immigrants. In the case of individuals attending an academy, such training session shall be for 8 hours, and in the case of all other law enforcement officers, the training session shall be for 4 hours.

(b)(1) Each State shall have not more than 120 days, beginning on the date of enactment of this Act, to comply with subsection (a), except that-

(A) the Attorney General may grant an additional 120 days to a State that is making good faith efforts to comply with such subsection; and

(B) the Attorney General shall waive the requirements of subsection (a) if compliance with such subsection by a State would be unconstitutional under the constitution of such State.

(2) For any fiscal year after the expiration of the period referred to in paragraph (1), a State that fails to comply with subsection (a), shall, at the discretion of the Attorney General, be subject to not more than a 20-percent deduction from the funds that would otherwise be allocated for that fiscal year to the State under subpart 1 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3750 et seq.), whether characterized as the Edward Byrne Memorial State and Local Law Enforcement Assistance Programs, the Local Government Law Enforcement Block Grant Programs, the Edward Byrne Memorial Justice Assistance Grant Program, or otherwise.

(c) Amounts not allocated under a program referred to in subsection (b)(2) to a State for failure to fully comply with subsection (a) shall be reallocated under that program to States that have not failed to comply with such subsection.

Ms. LEE (during the reading). I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The Acting CHAIR. Is there objection to the request of the gentlewoman from California?

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 287, the gentlewoman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Mr. POE OF TEXAS. (Mr. POE OF TEXAS.) The gentlewoman from California.

Mr. POE OF TEXAS. Mr. Chairman, I reserve a point of order on the gentlewoman's amendment.

The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 287, the gentlewoman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. LEE. Madam Chairman, I want to thank you, Madam Chairman, for your leadership on this subcommittee for your interest and support on this amendment. I recognize the point of order and plan to withdraw the amendment.

Recent events in Ferguson, Staten Island, Baltimore, and around the country really illustrate the need for significant reform in police interaction in communities that they are sworn to serve and protect. That is why this amendment would require the States receiving funding from the Department of Justice's Edward Byrne Memorial Justice Assistance Program put academy students and law enforcement officers through sensitivity training on ethnic and racial bias, cultural diversity, and police interaction with the disabled, mentally ill, and new immigrants.

As you know, DOJ's Byrne JAG Grant Program is the primary provider of Federal criminal justice funding to State and local jurisdictions supporting a wide range of law enforcement and court activities. Our law enforcement agencies and officers play a crucial role in protecting the safety of our communities. We need them to work cooperatively and competently along with our community members if we want to protect the public safety and the integrity of our neighborhoods. This amendment would apply in many congressional districts where many officers live outside of the communities they serve and do not have the training to deal with a diverse constituency.

Madam Chairman, I know that we all agree that the status quo is simply unacceptable.

Madam Chairman, I yield 2 minutes to the gentleman from Missouri (Mr. CLAY), my colleague who has demonstrated incredible leadership on this issue and continues to work in a bipartisan fashion on this very commonsense policy.

Mr. CLAY. I thank the gentlewoman for yielding.

Madam Chairman, I rise in strong support of this amendment. FBI Director James Comey's February 12, 2015, speech, entitled, "Hard Truths: Law Enforcement and Race," addressed what he characterized as a "disconnect between police and minority communities." Director Comey challenged officers to "acknowledge the widespread existence of unconscious bias." We appreciate his candor and acknowledgement of issues we have long felt.

Experience in our communities indicates negative police interaction and excessive force disproportionately affects communities of color, but there are other communities who would also benefit from better law enforcement relations.

As FBI Director, Mr. Comey requires all new agents and analysts to study the agency's interaction with Dr. Martin Luther King, Jr., followed by a visit to the King Memorial. The FBI's required study serves as recognition that in order to truly see each other as people, we must recognize our shortcomings and create and identify opportunities to understand, respect, and be decent to one another.

Police officer sensitivity training and annual retraining demonstrate a commitment to communities across this Nation. As Members of Congress, it is a practice we must encourage. In Ferguson, Staten Island, Cleveland, New Charleston and Baltimore, the need for reform is as clear as it is urgent.

Madam Chairman, I thank the gentlewoman from California.

Ms. LEE. Madam Chairman, I yield 30 seconds to the gentleman from Pennsylvania (Mr. FATTAH), our ranking member.

Mr. FATTAH. I want to thank the gentlewoman for her steadfastness and her focus on this matter and pledge to her that I am going to work with the chairman as we go forward to see that we get this incorporated in the final product of our bill.

Mr. CULBERSON. Madam Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. I continue to reserve the point of order pending the chairman's withdrawal of the amendment.

Madam Chairman, I want to reassure my colleague that I will continue to work with her and my ranking member and focus on this as we move through conference, as we discussed in full committee.

I appreciate the gentlewoman's withdrawing the amendment, and I reserve the balance of my time.

Ms. LEE. Madam Chairman, I wish to thank our ranking member and our chairman for their commitment to continue to work on this very important issue, along with Congressman CLAY.

Madam Chair, I ask unanimous consent to withdraw the amendment.

The Acting CHAIR. Is there objection to the request of the gentlewoman from California?

There was no objection.

AMENDMENT OFFERED BY MR. POE OF TEXAS

Mr. POE OF TEXAS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ... None of the funds made available in this Act may be used to enforce section 221 of title 13, United States Code, with respect to the survey, conducted by the Secretary of Commerce, commonly referred to as "American Community Survey.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. POE OF TEXAS. Madam Chair, I yield myself such time as I may consume.

Madam Chair, we are all familiar with the Census that takes place every 10 years and that constitutes the people in America. The Census Bureau also has another project, not constitutionally required, but something
that they did call the American Community Survey, which is a partial sampling of about 3 million Americans a year.

A survey is sent out, and I will read from this 28-page survey. It is 48 questions long, and the questions have nothing to do with how many people live in your house. Some of the questions are like this:

When do you leave for work?
When does your spouse leave for work?
When do your kids leave for school?
Does anyone suffer from a mental illness in the residence?
Does your house have a sink with a faucet?
Does anyone have trouble walking?
Does anyone have trouble getting dressed or bathed?

So there are 48 questions like this, and failure to abide by and fill out this survey could result in a fine.

Now, people in my district have called my office from all over the country about getting this thing in the mail and the harassment by the Census Bureau and subcontractors, including the fact that I have a single parent in my district that called and was complaining about the fact that the Census Bureau person would sit in the front of her home from 6 a.m. to 7 a.m. and then go to the door and peak through the windows trying to get her to fill out this page, or these 28 pages and send them back to the Census Bureau. So harassment takes place. And some people are threatened with a fine that is imposed for failure to abide by the survey.

Now, what this amendment does, it does not eliminate the American Community Survey. The ranking member and I had a discussion. I guess, about 5 hours ago on the House floor about whether it is a good idea or not. It doesn’t even stop the survey from being conducted.

All it does is prohibit the Federal Government from imposing a penalty for failure to fill out the survey. That results in the fact that people then can voluntarily fill out this form and send it back if they want to. If they don’t want to voluntarily have their privacy invaded by the government, then they don’t have to fill it back out and don’t have to worry about a fine.

That is what this amendment does: prohibits funding to allow the fine to be collected, thus making the survey voluntary.

With that, I reserve the balance of my time.

Mr. FATTAH. Madam Chair, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. Madam Chair, I support the gentleman’s last amendment. I strongly oppose this amendment.

It is impossible for me to conceive that we want to run the greatest country on the face of the Earth without data, without information, without knowledge of what the circumstances of the citizens of the country are—how many daycare slots are there to locate, how many homes are being conducted in terms of Federal programming, and a whole range of items that flow from formal grants, not through earmarks, but by knowledge of what is happening in communities, these surveys are critical.

The idea that we would say we are going to run this great country, we don’t want any information, we are going to put on blindfolds and just kind of hope for the best when we are making public policy about education and housing and transportation needs or health care needs, it doesn’t make a lot of sense. It may have some popularity politically, but as a notion for actual intentional leadership for our Nation, to say that we separate ourselves from actual information about what is going on in these communities, I think that the gentleman, as right as he was in the original amendment that I supported him on, in this particular matter I think he is headed in the wrong direction.

I would ask my colleagues—Democrats and Republicans—put the party aside, put the national interest first, and know for certainty that no person would ever—you are always talking about running the government like a business—no one would run a business without utilizing data to understand the marketplace.

At this point, I reserve the balance of my time.

Mr. POE of Texas. Madam Chair, may I inquire as to how much time I have remaining?

The Acting CHAIR. The gentleman from Texas has 2 minutes remaining.

Mr. POE of Texas. Madam Chair, I yield 1 minute to the gentleman from Texas (Mr. CULBERSON), chairman of the committee.

Mr. CULBERSON. Madam Chair, I thank the gentleman.

I want to express my strong support for my neighbor and good friend Judge Poe’s amendment because, again, our most important right as Americans is to be left alone.

In fact, the data, and I agree with my ranking member that this data is important, it can be excluded as a part of the Census itself. Any really essential questions the Department of Commerce can include within the core questions of the Census. They don’t have to send this long intrusive and detailed and very invasive survey out to every American and subject Americans to the threat of a $10,000 fine if they don’t comply.

I support the gentleman’s amendment as a further reflection of our commitment on this subcommittee and in this Congress to protect America’s right to privacy and to be left alone by their government, as Mr. Mason and Mr. Jefferson intended.

I urge Members to support Mr. Poe’s amendment. And remember, if the government needs this data, they can just put it in the basic Census itself.

Mr. FATTAH. Madam Chair, how much time is remaining between the gentleman who is the proponent and myself?

The Acting CHAIR. The gentleman from Pennsylvania has 2½ minutes remaining. The gentleman from Texas has 1 minute remaining.

Mr. FATTAH. And I assume he has the right to close?

The Acting CHAIR. Yes, he does.

Mr. FATTAH. Madam Chair, let me remind the House that we had another Texan—he was the President of the United States—and that administration that the questions that were put together in the community survey were developed under that administration.

The Acting CHAIR. The gentleman will suspend.

The gentleman from Pennsylvania does have the right to close.

Mr. FATTAH. Madam Chair, well, then at this point, I reserve the balance of my time.

Mr. POE of Texas. Madam Chair, I thank the gentleman for bringing up the American Community Survey and where it came from. That is irrelevant. The issue is Americans should not be required to give personal information to the Federal Government. If they want to fill out this form, go for it. Make it voluntary. Fill it out and send the Federal Government all the information you can come up with about what takes place in your residence. But it should not be required.

The Federal Government could get this information some other way. They could go to polling. The idea that they have got to go door to door to get this information when information is gathered all over the country by different businesses not going door to door—the government can do it other ways and not violate the right of privacy.

I would ask that this amendment be adopted that basically requires the American Community Survey to be voluntary, and that the fine that is allowed by law not be allowed or not be collected under this amendment.

I yield back the balance of my time.

Mr. FATTAH. Madam Chair, let me close by just saying that I just want to make sure that because we have some antipathy about, sometimes, anything that may emanate from this administration, I just want to make it clear...
that this was not some Democratic scheme here to gather up people's private information; that this is actually a legitimate activity of the Federal Government. It is one joined in by the Chamber of Commerce and other business organizations who tell us that this is vital.

I think just from a commonsense basis, we actually know as politicians, because when we are engaged in activities that are important, we try to get a lot of information. So we know it is important, and it is actually important for making sure that Federal programs are focused on the priorities of your community. And if we don't have the knowledge of how many people need daycare slots or how many veterans there are or what the other circumstances are in a particular community, it is impossible to do the planning that is necessary.

I would ask that we reject this amendment and that we continue to use data as a basis to make informed decisions here at the national level. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. Poe).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. FOSTER

Mr. FOSTER. Madam Chair, I have an amendment at the desk, offered jointly with the gentleman from New Jersey (Mr. GARRETT), my colleague.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk reads as follows:

At the end of the bill (before the short title), insert the following:

Sec. 543. None of the funds made available by this Act may be used to fund any Experimental Program to Stimulate Competitive Research (EPSCoR) program.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Illinois (Mr. GARETT), the cosponsor of my amendment, will be recognized for 2 minutes.

Mr. FOSTER. Madam Chair, every year, hundreds of billions of dollars is transferred out of States that pay far more in Federal taxes than they receive back in Federal spending—the so-called “payer States.” And this money is transferred into States that receive a lot more Federal spending than they pay in taxes—the “taker States.” This is an enormous and economically unjustifiable redistribution of wealth between the States.

The payer States can be characterized in a number of ways, but most of the payer States are large population States, while virtually all of the taker States are smaller, which means that they are overrepresented in the Senate.

Over time, Senators from these States have inserted hundreds of programs that systematically steer money into the taker States. Our amendment takes a first small step to begin rolling back these taker State preferences by eliminating one of the most unjustifiable of them all: the Experimental Program to Stimulate Competitive Research, commonly referred to as EPSCoR.

EPSCoR was started as an experimental program in 1978 with the goal of redistributing Federal research dollars into States that traditionally received less than their “fair share” of NSF funding. However, because “fair share” was determined on a per State basis, rather than on a per capita basis, it has devolved into just another program that steers money into smaller States that already get far more than their fair share of Federal spending.

Since no allowance is made for whether the State has a big or a small population, the EPSCoR program systematically discriminates against researchers simply because they come from States with large populations. The EPSCoR States are hardly lagging for Federal largesse. According to the Tax Foundation, in a typical year, the EPSCoR States received approximately $10 billion more in Federal spending than they paid in Federal taxes.

How does one justify a program that excludes researchers in States like Florida or Texas, which over the past 30 years got only an average of about $7 per capita in NSF funding while steering money into States like Rhode Island, Alaska, and New Hampshire, which already got 5 times more?

Why should a researcher at Brown University in Rhode Island be eligible for a grant set-aside that is unavailable to researchers at SMU, FSU, UCLA, Rutgers, or Northern Illinois?

As a scientist, I find that it is not surprising that it is very difficult to find supporters for EPSCoR in the scientific community. Precious research funding would be far better spent in a competitive, merit-based process as it will be if our amendment is adopted.

Madam Chair, I urge my colleagues to support this bipartisan amendment. I yield 1 minute to the gentleman from New Jersey (Mr. GARETT), the cosponsor of my amendment.

Mr. GARETT. I thank the gentleman from Illinois (Mr. Foster) for his work on this issue. I am honored to serve alongside him on the Payer State Caucus as well.

Madam Chair, this program is yet another example of ineffective, wasteful redistribution programs that the taxpayers are compelled to financially support. The Foster-Garrett amendment would relieve the taxpayers of this burden.

Again, I thank Mr. Foster for his work in protecting the payer States, and I urge my colleagues to support this amendment.

Mr. FOSTER. I thank my colleague from New Jersey.

Madam Chair, I urge my colleagues to support this bipartisan amendment. I yield back the balance of my time.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. Madam Chair, this program is designed to ensure that academic institutions and industry can develop science and engineering capabilities that are outside of traditional research hubs.

The partnerships support areas of critical scientific disciplines as aerospace and aerospace-related research. I do urge a “no” vote on the gentleman’s amendment.

I now yield to the gentleman from Rhode Island (Mr. Cicilline).

Mr. CICILLINE. I thank the gentleman for yielding.

Madam Chair, I rise in opposition to this amendment which would eliminate the EPSCoR program.

For more than 60 years, the National Science Foundation has provided academic research funding to colleges and universities around the Nation, and it has been critical to ongoing research that is essential to maintaining our competitive edge in scientific advancement.

The NSF’s Experimental Program to Stimulate Competitive Research, commonly known as EPSCoR, is an authorized program whose mission is to help balance the allocation of Federal and other Federal research and development funding to avoid the undue concentration of money to only a few States.

This successful program has had a profound impact on my home State of Rhode Island, allowing nine of our academic institutions to increase research capacity, to enrich the experience of their students, and to contribute to advances in a variety of fields.

Critically, 26 States, including Rhode Island, and 3 jurisdictions account for only about 10 percent of all NSF funding, despite the fact that these States account for 20 percent of the U.S. population. EPSCoR has helped to stabilize this imbalance in funding and should continue to do so in the 2016 fiscal year and beyond.

In order to ensure robust academic research and outcomes across the country, geographic diversity in funding should be considered to ensure that we take advantage of the particular experiences, knowledge, and perspectives of academics and institutions from every State. This amendment to
eliminate this successful program would be a step backward for the United States’ commitment to research and development.

Investments in critical programs, such as EPScOR, are essential to creating jobs, innovating for the future, maintaining our competitive edge in scientific research and a global economy.

I urge my colleagues to join me in strongly opposing this amendment.

Mr. CULBERSON. Madam Chair, I would ask the Members to vote ‘no.’ I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Illinois (Mr. FOSTER).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. FOSTER. Madam 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 Illinois will be postponed.

AMENDMENT OFFERED BY MR. GOODLATTE

Mr. GOODLATTE. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ___. None of the funds made available in this Act may be used to pay the salaries and expenses of personnel of the Department of Justice to negotiate or conclude a settlement of Justice to require mandatory donations to direct as part of settlement agreements. The Department of Justice is systematically subverting Congress’ budget authority by using settlements to funnel money to third-party groups.

An investigation by the House Judiciary and Financial Services Committees reveals that, in just the last 10 months, the Department of Justice has used mandatory donations to direct as much as half a billion dollars to activist groups.

These payments occur entirely outside of the congressional appropriations and oversight process. In some cases, the Department of Justice is using mandatory donations to restore funding that Congress specifically cut. This is money that could otherwise be going directly to victims.

The Department of Justice continues to resist document requests, but what little has been provided confirms that activist groups which stood to gain from mandatory donation provisions were involved in placing those provisions in the settlements.

The committees raised concerns with the Department of Justice in 2014, but instead of suspending the practice, the Department has doubled down. It recently entered into an over $50 million settlement relating to robosigning; $7.5 million of that did not make it to victims.

Instead, it went to a third party. Incredibly, the settlement specifically provided that there would be no oversight of the money.

The situation is even more egregious when one considers that the required donation will nearly double the net assets of the DOJ-specified recipient. It is deeply troubling for that to happen at the unilateral discretion of the executive branch.

This amendment takes no money away from any organization. It is purely prospective. It ensures that settlement money goes either directly to victims or to the Treasury for elected representatives to decide how it is to be spent.

It is critical that we act. The Department of Justice is ignoring Congress’ concerns, increasing the use of third-party payments, even as we object. The purpose of such actions is punishment and redress to actual victims. Carrying that concept to communities at large or activist community groups, however worthy, is a matter for the legislative branch and is not to be conducted at the unilateral discretion of the executive.

This is fundamentally a bipartisan institutional issue. There was abuse of purpose, and the remedy should be direct.”

Mr. FATTAH. Madam Chair, I yield to the gentleman from Virginia.

Mr. GOODLATTE. Madam Chair, I yield to the gentleman from Virginia.

Mr. FATTAH. Madam Chair, I know the chairman is quite aware of how these words, “donation,” “mandatory,” “settlement,” so forth and so on, might be applied and abused in various ways.

Again, obviously, if this is something the majority wants to do, they will do it. I just think that it may have unintended consequences; and this administration, the next administration, and various administrations going forward, there should be a congressional framework for settlements. I have offered legislation that is bipartisan in that regard. I am not opposed to creating a congressional framework. I just think that we don’t want to have unintended consequences here if we can avoid it.

I yield back the balance of my time.

Mr. CULBERSON. Madam Chair, I want to express my strong support for Chairman GOODLATTE’s amendment. The words he has chosen have been chosen very carefully. A donation or contribution is just that. It is a gift. It is a donation. If the money is paid in compensation for an injury as a result of a claim, it is not covered. So the
Mr. CULBERSON. Madam Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes. Mr. CULBERSON. I yield to the gentleman from Virginia (Mr. GOODLATTE), the chairman of the Judiciary Committee.

Mr. GOODLATTE. I thank the chairman of the committee for yielding, and I rise to join him in opposition to this amendment.

Madam Chair, this amendment would undermine diversion control and thereby potentially increase drug abuse by creating a significant loophole in the system of controls established by the Controlled Substances Act.

The amendment would cause this highly problematic result by effectively exempting DEA registrants who dispense drugs for addiction treatment from the requirement to be subject to administrative oversight under the CSA. At present, buprenorphine is the only schedule III–V controlled substance contained in a drug that has been approved by the FDA for drug addiction treatment. It is also the case that this amendment would not preclude DOJ/DEA from obtaining a criminal search warrant to obtain the foregoing types of records, this does not come close to being an adequate substitute for the administrative inspection authority.

Obtaining a criminal search warrant must be predicated on evidence sufficient to establish probable cause that the registrant has committed a criminal violation of the Controlled Substances Act.

The very point of the administrative inspection authority that Congress provided under the CSA 45 years ago was to have a robust system of administrative safeguards that would help to prevent regulatory violations before they occurred, and even more so, before criminal violations occurred. This is because Congress recognized that controlled substances, when abused, can have dangerous and sometimes deadly consequences, and thus that the widespread problem of drug abuse in the United States cannot be solved exclusively through criminal provisions of the Controlled Substances Act.

It also bears mentioning that this drug is highly subject to diversion, as it is a narcotic drug that is much sought after by many persons who are addicted to opiates and/or who seek to abuse opiates for nonmedical purposes. Indeed, the heightened risk of diversion associated with dispensing of this drug to a drug-addicted patient population actually warrants greater scrutiny, not less scrutiny, than with many other categories of prescribed controlled substances.

So I urge my colleagues to vote against this amendment.

Mr. CULBERSON. I join in urging my colleagues to oppose this amendment on many grounds. It is especially true that the delegated power that this amendment would preclude was not intended to be dealt with by the authorizing committees. This is not an appropriate place to handle it.

We are finding that people in this sequence often use heroin as a substitute when the pills get too expensive or the high is no longer high enough. It is easy to switch to heroin.

It is not just a problem in Oregon. We have seen the CDC chart heroin deaths doubling between 2010 and 2012 in 28 States.

Opioid addiction can be devastating, but there is a treatment that can be used to safely and effectively treat this addiction. For more than 12 years, buprenorphine has been a critical weapon in our fight against opioid addiction. It can be taken on an outpatient basis. It is easy to administer.

But we have seen artificial barriers to treatment. In fact, we have made it harder for doctors to prescribe these schedule III addiction treatment drugs even though it is comparatively easy to prescribe the schedule II drugs that cause addiction in the first place, such as Vicodin and OxyContin. And the schedule III drugs, we are finding that there are audits that are taking place by DEA.

Doctors who complete the 8-hour certification process have been approved by DEA agents in my community before they even write a single prescription. They report hostile and intimidating behavior from agents who demand inspections of their prescription records at random, unscheduled intervals. And州区 doctors, who can simply write a prescription for powerful narcotics without having to worry about random DEA inspections.

We need to allow doctors to treat their patients with compassion and with the care they deem appropriate. They shouldn’t have to worry about DEA agents having a super overlay of attention.

We need to encourage opportunities to make sure that doctors can treat patients and be able to withdraw them from the symptoms. And I would respectfully suggest that the DEA should focus their efforts on chasing criminals, the pill mills, and the drug dealers, not doctors who have worked hard to be part of the solution.

This amendment solves the problem by ensuring no funds are available to DEA to enforce inspections of the physicians who prescribe buprenorphine and allow them to proceed with the treatment of patients without fear of getting into trouble with the Federal Government while helping hundreds of at-risk patients who want to beat their addiction in a healthy, effective way.

The irony is the powerful addictive drugs don’t have as much interference and oversight. The opportunity to have drugs at schedule III—not schedule II—that can be used to treat it is much more difficult and intrusive for medical professionals. That is not right.

I urge my colleagues to support this amendment. It solves the problem of access to treatment of patients without fear of being subject to administrative oversight and allows us to adopt this amendment to correct the situation, and I reserve the balance of my time.
I yield to the gentleman from Louisiana (Mr. FLEMING), who has personal experience and knowledge in this area as a physician, and who can speak to this issue in opposition as well.

Mr. FLEMING. I thank my good friend from Oregon (Mr. BLUMENAUER) for yielding. Madam Chairman, years ago, one of the positions I served was as a director for drug addiction and alcoholism, and one of my duties was as a methadone doctor.

This drug is really a new form of methadone. It can be applied and can be employed in the treatment of heroin addiction. But at the end of the day, it too is highly addictive. It is a scheduled drug, and it is abused. So it deserves the same kind of safeguards and protections and oversight as any other addictive drug.

And so if my friends really want to see this used as an effective tool and not itself become a dangerous drug out on the streets being diverted and perhaps even sold on the black market, I suggest that we oppose this amendment and let's continue the good, strong oversight that we have under the CSA.

Mr. BLUMENAUER. I would strongly urge my colleagues to talk to treatment professionals in their communities. My concern is that we don't have as much vigorous oversight for things that are much more highly addictive—we see them more abused—and that this extra overlay for something that is less dangerous and can in fact be useful for treatment, I think, is an area that deserves oversight.

I respect my friends in terms of their opinions, but I would urge them to have the conversations I have had with the people who are getting wrapped around the axle with the DEA. I yield back the balance of my time.

Mr. CULBERSON. Madam Chair, with the gentleman from Texas and a Member opposed each other, that application was made doesn't necessarily mean that the law enforcement officers who are already overworked and understaffed. The ATF knows full well that there are cities and jurisdictions that refuse to give approval for political reasons.

Action films are fun to watch, but they are wrong about suppressors. Suppressors dampen the sound of a firearm, but do not make guns silent. They protect the firearm owner and law enforcement officers from gunfire that is less dangerous and can in fact save lives. Suppressors increase safety while shooting, allow people to easily hear and react to range safety instructions and to other sportsmen.

My amendment ensures Americans' rights are protected and does not eliminate background checks. It will protect suppressor suppliers; manufacturers; tens of millions of dollars in annual revenue; thousands of jobs nationwide; and, more importantly, the Second Amendment rights of a law-abiding gun owner.

I urge support for this commonsense provision, and I reserve the balance of my time.

Mr. FATTAH. Madam Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. If the gentleman from Texas would join me in a quick colloquy.

Mr. CARTER of Texas. I would be happy to do so.

Mr. FATTAH. This is the amendment relative to trust and gun trust and whether there needs to be a background check or not?

Mr. CARTER of Texas. Will the gentleman yield?

Mr. FATTAH. I yield to the gentleman.

Mr. CARTER of Texas. This is the amendment that requires an additional approval by a law enforcement officer for purchases of certain either weapons or suppressors.

Mr. FATTAH. Right. Now, in this instance, in 2006, our information is that there were 4,600 of these applications, then that grew to 40,000 in 2012 and then 72,000 in 2013 and 90,000 in 2014.

Are those numbers relatively accurate, as best as you know?

Mr. CARTER of Texas. If the gentleman will yield, those numbers could be accurate. I cannot contest those numbers.

However, it has been made absolutely clear, both by target shooters and by hunters, that suppressors make for a more accurate weapon, less damage on the shooter, less damage on the people and animals around the shooter, a better ability to be safe with your fellow hunters.

Mr. FATTAH. Thank you, Judge.

Reclaiming my time, I rise in opposition to this. It is clear, given the majority that we have, that we won’t be on a successful vote count on this.

I do want to make the point, right, that the Second Amendment, as it was ruled on by the Supreme Court, says that there can be reasonable regulation, and so that is our job. That is where we come into this picture at. We are supposed to be the reasonable regulators. We are supposed to decide where and when and under what circumstances there should be some speed bump.

The question here is, for these types of applications, where someone is going to have a weapon in which discerning that it has been fired, you are going to be less able to do it, whether that is something where someone should have to have a small speed bump on the way to getting it.

Now, it doesn’t seem like there is a major hurdle here because we have jumped from 4,600 of these in 2006 to 90,000 in 2014. I don’t know, unless we are going to just have a universal access to them, there doesn’t seem to be a major impediment.

Mr. CARTER of Texas. Will the gentleman yield?

Mr. FATTAH. I yield to the gentleman.

Mr. CARTER of Texas. Because an application was made doesn’t necessarily mean that the law enforcement people dealt with it and approved that application. Now, if you are telling me these are 90,000 approved applications, I understand your argument.

One of the issues seems to be finding a law enforcement agency in the modern society we live in that actually has some knowledge of the individual that is making the request and is willing to process it.

Mr. FATTAH. Judge, I will just say this then, reclaiming my time, that everybody, even those who are not involved in law enforcement, understands the challenge of having a firearm in which the sound is suppressed.

We just had an incident in one of our Capitol buildings where someone tried to bring a weapon in. We know that weapons are dangerous. That is why you can’t bring them into the U.S. Capitol.

Making them more accessible in the communities and among the people that represent, it seems to me that a great thing to do, the majority will have its way on this. I stand in opposition to it.

I yield back the balance of my time.

Mr. CARTER of Texas. Madam Chair, I only claim time to say that I serve on this subcommittee with both these honorable gentlemen. I want to commend them for a great bill.
The chairman has asked for time. I yield such time as he may consume to the gentleman from Texas.

Mr. CULBERSON. I do want to express my strong support for the gentleman's amendment. It is an appropriate and necessary additional protection for American farmers. Judge CARTER is exactly right. This is the right place for the bill. This is the right place for this amendment. He has drafted it very narrowly and very carefully, and I urge Members to join us in supporting this very important Second Amendment amendment before the House.

Mr. CARTER of Texas. To finish, I am honored to serve on this subcommittee with these two fine gentlemen. They have made a great work product here, and I am very glad that we were able to all work together.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. CARTER).

The acting Chairman agreed to.

AMENDMENT NO. 9 OFFERED BY MS. BONAMICI

Ms. BONAMICI. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. __. None of the funds made available in this Act to the Department of Justice may be used to prohibit or restrict the cultivation of industrial hemp within a State from implementing its own State laws that authorize the use, distribution, possession, or cultivation of industrial hemp, as defined in section 7306 of the Agricultural Act of 2014 (Public Law 113-79).

The Acting CHAIR. Pursuant to House Resolution 287, the gentlewoman from Oregon and a Member opposed each will control 5 minutes.

Ms. BONAMICI. The gentleman from Texas (Mr. CARTER), my cosponsor.

Mr. MASSIE. Madam Chair, I am very excited to report that, thanks to Ms. BONAMICI and her leadership on this amendment, last year with strong support from both sides of the aisle, House Resolution 287, the gentlewoman from Oregon (Ms. BONAMICI), my cosponsor, the House adopted this amendment last year with strong support from both sides of the aisle.

This amendment is very simple. It would move our country in line with industrialized countries around the world that long ago recognized the importance of industrial hemp as a natural resource, an agricultural commodity, and a versatile component that is now found in more than 25,000 commercial products.

In supporting this amendment, I would like to point out that we bring America back in line with our country's history. George Washington and Thomas Jefferson grew it. The first drafts of our Constitution and first laws were written on paper made from it.

During World War II, the USDA encouraged patriotic American farmers to raise it for the war effort. They even produced a slick promotional film titled "Hemp for Victory." Now, at least 23 States have passed laws to allow farmers to grow it, too.

Unfortunately, the Federal Government stands in the way of family farming and growth hemp. The senseless classification of hemp as a schedule I drug contributes nothing to public safety; instead, it robs our farm economies of a potentially multibillion-dollar crop that is used to make everything from cloth to tires to medicine.

The amendment would simply allow farmers to grow hemp in accordance with their own State's laws. The amendment does not eliminate regulation in hemp cultivation; it simply vests the Department of Justice and the DEA of their ability to treat hemp like marijuana because hemp is not marijuana.

So far, 23 States have passed laws to allow farmers to grow hemp. Right now, farmers in Oregon, Colorado, Kansas, Delaware, Hawaii, Illinois, Indiana, Kentucky Maine, Maryland, Michigan, Missouri, Montana, Nebraska, New York, North Dakota, Oregon, South Carolina, Tennessee, Utah, Vermont, Virginia, Washington, and West Virginia are waiting for the Federal Government to get out of the way.

Because the Department of Justice refuses to acknowledge what Washington and Jefferson knew, that hemp is an agricultural commodity and not marijuana, these State laws take a back seat to Federal overreach.

I urge my colleagues to support this bipartisan amendment, and I yield 1 minute to the gentleman from Kentucky (Mr. MASSIE), my cosponsor.

Mr. MASSIE. Madam Chair, I am very excited to report that, thanks to the farm bill amendment that allowed for pilot programs, we grew many pilot programs in Kentucky last summer; and this summer, there will be about 1,800 acres of hemp grown in Kentucky in pilot programs.

We have venture capital coming to Kentucky. I met with two companies in Kentucky that are investing in hemp, but the problem is right now they can only do the pilot programs. Yet they are still going to grow 1,800 acres of it in Kentucky alone. They grow 100,000 acres of industrial hemp in Canada.

It is time to let our farmers have this opportunity. We need to take away the restraint that is just a pilot program. We have addressed a lot of the concerns that people had last year before these pilot programs. We have added a lot of the concerns that people had last year before these pilot programs. Law enforcement are okay with hemp now. They have seen that it is not its cousin.

With that, Madam Chair, I urge passage and urge my colleagues to vote for this amendment.

Mr. FLEMING. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Louisiana is recognized for 5 minutes.

Mr. FLEMING. Madam Chair, the cultivation of cannabis for industrial purposes is governed by the Controlled Substances Act and permitted pursuant to the registration requirements found in title 21, United States Code.

Let's face it, hemp is very closely related to cannabis. And DEA agents tell us that it is very difficult to detect, to determine, and distinguish between hemp and marijuana, so it only makes their job more difficult. However, the Agricultural Act of 2014—and Mr. MASSIE has referred to this—I believe permits institutions of higher learning and State departments of agriculture to grow or cultivate industrial hemp as defined in the statute for purposes of research conducted under an agricultural pilot program or other agricultural or academic research.

In short, we are analyzing it, and we are evaluating it, but we don't have the results yet of those studies. I think it would be premature, especially considering the problem with the rapid expansion of the marijuana industry and the problems which I will speak about later this evening with marijuana and abuse of marijuana and the damage to brains of our children and our youth. The last thing I think that we want to do now is to create more problems for enforcement for the DEA.

Madam Chairman, if we are going to study it, let's study it, but I do not believe it is time that we remove these restraints on industrial hemp. I reserve the balance of my time.

Ms. BONAMICI. Madam Chair, may I inquire into the amount of time remaining.

The Acting CHAIR. The gentlewoman from Oregon has 1½ minutes remaining.

Ms. BONAMICI. Madam Chair, I yield 1 minute to the gentleman from Oregon (Mr. BLUMENAUER), my colleague.

Mr. BLUMENAUER. Madam Chairman, I appreciate the gentleman's courtesy and her leadership on this issue.

Madam Chair, as a practical matter, industrial hemp is not marijuana. With less than 0.3 percent THC, it is not a drug. As a practical matter, it is not hard to distinguish it, and, in fact, it is sort of a myth that somehow people will use industrial hemp to distinguish marijuana. They don't want that. It cross-contaminates. It makes it a less effective product.

We have a situation where the rest of the world deals with industrial hemp, whereas there are countless products available to purchase today. It is just that Kentucky farmers or Oregon farmers can't produce it. Last year the House overwhelmingly passed this amendment. We are starting down a path towards rationalization.

I yield back the balance of my time.
Mr. FLEMMING. Madam Chairman, who has the right to close? The Acting CHAIR. The gentlewoman from Oregon has the right to close since the gentleman from Louisiana is not on the committee.

Mr. FLEMMING. Madam Chairman, I would just say in conclusion that DEA tells us otherwise, that it is difficult to distinguish. It is a problem for them. They are the ones who have to enforce this. Also, there isn’t any product that you can get from hemp. Hemp production, industrial hemp is not abundant in many cases. We think whether it is paper, rope, or what have you. So with that, it is not necessary. It is not some vital resource that we can’t do without. It does create and complicate problems when it comes to the enforcement of schedule I drugs such as marijuana.

Madam Chairman, I yield back the balance of my time.

Mr. BONAMICI. Madam Chairman, as we have heard this evening, it makes no sense that industrial hemp is legal to have and legal to use in manufacturing but can’t be grown by our own farmers. Right now the companies that are manufacturing with hemp have to import it from places like Canada and China. They should be able to grow it in our own country.

Please support this bipartisan amendment. Industrial hemp is grown differently from marijuana. It looks different. The enforcers can tell it apart. Let’s let our farmers grow industrial hemp. Please support this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Oregon (Ms. BONAMICI).

The question was taken; and the Act-
ing Chair announced that the noes ap-
peared to have it.

Mr. CULBERSON. Madam Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceed-
ings on the amendment offered by the gentlewoman from Oregon will be postponed.

AMENDMENT OFFERED BY MR. POE OF TEXAS

Mr. POE of Texas. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will re-
port the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

Sect. 13. None of the funds made available by this Act may be used for the DNA analysis and capacity enhancement program and for other local, State, and Federal forensic activities for which funds are made available under section 130 of the $25,000,000 for DNA-related and forensic programs and activities, unless such funds are used in accordance with paragraphs (3) and (4) of section 220(c) of the Debra Smith Act. End of Section 130 of the Debra Smith Act.

Mr. CULBERSON. Madam Chair, I re-
serve a point of order on the amend-
ment. The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 2307, the gentleman from Texas and a Member opposed each will control 5 min-
utes. The Chair recognizes the gentleman from Texas. Mr. POE of Texas. Madam Chairman, I yield myself such time as I may con-
sume.

Madam Chairman, Congress in the last several sessions has done. I think, an admirable job of dealing with this crime of sexual assault in the United States. Several pieces of legislation have passed the House, under several administrations, going all the way back to the Violence Against Women Act. More recently, under the Debra Smith Act, SAFER legislation, here is what is taking place.

We now know because of DNA that old rape kits can be analyzed to deter-
mine who the suspect was that com-
mitted that sexual assault, generally against females, and that is a good de-
velopment.

Because of that legislation, the Debra Smith Act was passed; and the SAFER Act says that Debra Smith, which grants funds to do rape kit back-
logs, that 75 percent of that money, of those grants, will go to actually ana-
alyze backlogged rape kits. Get those back-
logs analyzed, go after the bad guys, find out who committed these crimes, and bring those 400,000 rape kits up to date by getting them analyzed.

The problem is the Justice Department doesn’t follow the law. They are not analyzing these cases. There is still a backlog. They are spending the money, but they are spending it on other things like re-
search rather than what the law says: analyze those cases.

Madam Chair, 75 percent of that money is to go to analyze that backlog of rape cases.

My amendment just tells the Justice Department to follow previous law, analyze those cases, use 75 percent of the money that is available to analyze those cases. That is what the amend-
ment does.

I reserve the balance of my time.

Mr. CULBERSON. Madam Chair, I claim the time in opposition. The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. Madam Chair, I strongly agree with the gentleman’s amendment and intend to work with him as we move through conference to address this problem in the way he sug-
gests and make sure the law is complied with.

I understand the amendment may be with-
drawn. Before the amendment is with-
drawn, if I could address the mer-
its of your amendment, I think you are exactly right. We plussed up funding for rape kits. We want to make sure that this backlog is taken care of as rapidly as possible. I know my friend from Philadelphia and the members of the committee may have concerns. We want to make sure that the backlog rape kits are cleared out as rapidly as possible and these criminals are taken off the street as rapidly as they can be. We want to make sure the Federal law is complied with, so I will work with you to make sure that through the over-
sight authority we have got on this subcommittee that the Department is enforcing the law as written by Con-
gress and doing so aggressively.

Mr. FATTAH. Will the gentleman yield?

Mr. CULBERSON. I yield to the gentle-
man from Pennsylvania.

Mr. FATTAH. I concur with your point of view, and I think that the amendment is withdrawn. But I think that the maker of the proponent amendment is correct that we need to move in this direction. We not only want to make sure that the backlog is ended and that we get bad people off the street; we also don’t want innocent people incarcerated for crimes they didn’t commit. So this is where the science can help.

But you are right that we need to make sure that there is specific direc-
tion. I thank the Chairman.

Mr. CULBERSON. And we can do that through oversight, and we will work very closely with you, Judge Poe, on this. And I thank you for your work on this effort. There is no penalty se-
vere enough that can be imposed swift-
ly enough on anyone who would injure a woman or a child.

I understand the amendment is going to be withdrawn.

Mr. POE of Texas. I thank the chair-
man, and I also thank the ranking member.

What the amendment does—and I will work with the committee on this—is exactly what the ranking member said. In one word, it finds out “just-
tice.” We free the innocent and we conv-
ict the guilty, but we can’t do it un-
less these rape kits are analyzed. So I hope the committee figures out a way to have the Justice Department do what they are supposed to do that Con-
grress has already told them to do. Good luck with that.

Madam Chair, I ask unanimous con-
sent to withdraw my amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Acting CHAIR. The amendment is withdrawn.

AMENDMENT OFFERED BY MR. ELLISON

Mr. ELLISON. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will re-
port the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

Sect. 2. None of the funds made available by this Act may be used for the Department of Justice in violation of—

(1) the Fifth and Fourteenth Amendments to the United States Constitution; or

(2) the memorandum issued by the Attor-
ney General on March 31, 2015, and entitled “Guidance Regarding the Use of Asset Forfeiture Authorities in Connection with Structuring Offenses”.

June 2, 2015
Mr. ELLISON (during the reading). Madam Chair, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The Acting CHAIR. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Minnesota and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. ELLISON. Madam Chair, I offer this amendment with the support of the chairpersons of the Congressional Black Caucus, the Congressional Hispanic Caucus, the Congressional Asian Pacific American Caucus, and the Progressive Caucus.

This amendment would prevent funding from law enforcement agencies that engage in discriminatory profiling based on gender, race, ethnicity, religion, sexual orientation, or national origin.

It would also prevent the use of funds to repeal the December 14 revised profiling guidance issued by the Department of Justice. Discriminatory profiling, as ATIPIS does it, doesn't help prevent crime. It creates a culture of fear and resentment within our community. It is contrary to the core constitutional principles, and the Federal dollars shouldn't be spent perpetuating this activity.

I commend the work of Attorney General Holder to revise profiling guidance, and I believe that we must do more to close the remaining loopholes in profiling guidance.

You shouldn't be able to profile at the border. You shouldn't be able to map people without cause. You shouldn't be able to use national security as an excuse to engage in prejudicial policing.

And we need comprehensive antiprofiling legislation like the End Racial Profiling Act introduced by the dean of this Congress, JOHN CONYERS. In the absence of such comprehensive reform, we should at least prevent Federal funds from being used to discriminate against citizens.

I reserve the balance of my time.

Mr. FITZPATRICK. Madam Chair, I claim the time in opposition, even though I am not actually in opposition.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. FITZPATRICK. Madam Chair, I think that what we should be for is effective law enforcement techniques. We know by very empirical evidence that profiling does not work, and our experts in every aspect of law enforcement—local, State, and nationally—tell us that it doesn't work. So I agree with the gentleman and I support his amendment.

I reserve the balance of my time.

Mr. ELLISON. Madam Chair, I will close and just say that racial profiling has no place, and we urge a "yes" vote for the amendment.

I yield back the balance of my time.

Mr. FITZPATRICK. The Acting CHAIR. The question is on the amendment offered by the gentleman from Minnesota (Mr. ELLISON). The amendment was agreed to.

AMENDMENT OFFERED BY MR. ELLISON

Mr. ELLISON. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk reads as follows:

At the end of the bill (before the short title), insert the following:

Sec. 4233. None of the funds made available in this Act may be used to enter into a contract with any person whose disclosures of a proceeding with a disposition listed in section 2313(c)(1) of title 41, United States Code, in the Federal Awarded Performance and Integrity Information System include the term "Fair Labor Standards Act."

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Minnesota and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. ELLISON. Madam Chair, this is a very simple amendment which says that the moneys appropriated by the U.S. Congress should go to contractors who deal fairly with workers and who do not violate the Fair Labor Standards Act.

This particular amendment is not an allegation; it only applies to contractors who have been found in violation, who have been forced to disclose those violations based on the requirements of law and their violations of the Fair Labor Standards Act.

This amendment would prohibit the Federal Government from using funds in this bill to hire contractors with wage theft violations.

Madam Chair, we live in a time when it is so hard for workers all across this Nation to make a living. People go to bed at night calculating whether they are victims of wage theft by an unscrupulous employer, I think that the Federal Government should not be doing business with that employer.

The fact of the matter is that wage theft is widespread and costs workers billions of dollars every year—greater than the cost of burglaries, robberies, larcenies, and other sorts of problems.

Wage theft among Federal contractors, some of them, certainly not all, but some have had a problem in this area.

A national employment law project found that nearly one in three low-wage contractors in the D.C. area reported stolen wages.

A report by the Senate, Education, Labor, and Pensions Committee revealed that 35 percent of the largest Department of Labor penalties for wage theft were levied against Federal contractors.

Now, there are many excellent Federal contractors. These people should not have to compete with companies that circumvent the requirements of the law. In total, those Federal contractors who did had to repay employees $82.1 million in back wages for violations between 2007 and 2012. Despite these violations, many of these same companies received Federal contracts again in 2012.

The fact of the matter is that wage theft is wrong, and the people who engage in it shouldn't receive Federal funds. I hope that all Members will agree that a dollar earned is a dollar that must be paid and that the United States of America only wants to do business with contractors that obey the law.

I reserve the balance of my time.

Mr. CULBERSON. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. Madam Chairman, I share the gentleman's concerns, but I think his amendment is written so broadly that it is going to have an impact far beyond anything he actually intended.

For example, if a very large company like Boeing ever failed to pay someone overtime one way his amendment is drafted, this would bar Boeing from ever doing any business with the Federal Government. It would bar Lockheed, which is responsible for building the Orion spacecraft for NASA, and they are doing an extraordinarily good job in doing so.

It is almost inevitable. None of us are perfect. Everybody, somewhere or somehow, is going to make a mistake. It is just inevitable. In the way the gentleman's amendment is drafted, the way his amendment is drafted, this would bar Boeing from ever doing any business with the Federal Government. It would bar Lockheed, which is responsible for building the Orion spacecraft for NASA, and they are doing an extraordinarily good job in doing so.

It is too broad. This is not the right place for it. You are going to do great damage to a lot of very good companies that have had very minor, one-time violations of any sort of any kind, anywhere, anytime.

It is too broad. This is not the right place for it. You are going to do great damage to a lot of very good companies that have had very minor, one-time violations of any number of years ago. I know that is not the gentleman's intention, but it is the language before the House that he has drafted is very broad and has implications far beyond what I know he has laid out here tonight.
The bill, as written, would actually, I think, wind up with a lot of very good companies being unable to do business with the Federal Government, so I would ask Members to oppose the amendment.

I reserve the balance of my time.

Mr. ELLISON. Madam Chair, how much time do I have remaining?

The Acting CHAIR. The gentleman from Minnesota has 1½ minutes remaining.

Mr. ELLISON. Madam Chair, I just want to point out that the companies that the gentleman has identified ought to obey the Fair Labor Standards Act. Every company that does business with the United States Government ought to pay its workers fairly.

Federal contracts are lucrative, and Federal contracts make people rich. At the very least, those companies and those individuals who benefit from those contracts ought to make sure that their workers get paid properly.

The fact of the matter is that this is an appropriation from this year. It doesn't bar them in the future from applying for Federal contracts again, and if they should prove to have really cleaned up their act, we can have a conversation about that.

I am afraid, Madam Chair, that if we do not pass this amendment, we will be telling all of the honest, hard-working contractors that you don't need to obey the law, that you can just do whatever.

Companies that don't obey the Fair Labor Standards Act and steal workers' wages actually gain a competitive advantage on the companies that do obey the law. I don't think that is anything that any one of us would like to see happen, so I would urge a "yes" vote on this; say "no" to wage theft.

I yield back the balance of my time.

Mr. POE of Texas. I thank Congresswoman BLACK for this amendment and for bringing it to the attention of the House tonight.

Madam Chair, this issue came to my attention a couple of years ago when I was with constituents in my district. They were gun sellers, and they were complaining and telling me about the administration quiet beginning requiring the Bureau of Alcohol, Tobacco, Firearms and Explosives—what they call the ATF—to record a firearms purchaser's race and ethnicity.

This, Madam Chair, is not law. It is not congressional action. We did not do this. The ATF, through administration rules, requires the race of the gun purchaser, and the seller who is selling the gun has got to check the box and write the race of the gun purchaser.

If they do not do that or they do it wrong, the ATF can come back later, look at the records, say "You left it blank on the race of the individual," and shut the business down.

Now, there are several problems with this new rule by the ATF. In order to avoid breaking this Federal regulation, the dealers then have to ask the customers their race and ethnicity—offense and they get offended—they take it out on the dealers themselves. Sometimes refuse to give their race, and then what is the gun seller to do? Why is our government racial profiling people who exercise the Second Amendment? Why are they doing that?

Second, it is none of the government's business the race of a gun owner. The Second Amendment does not just apply to certain races. It applies to everybody. It doesn't exclude races and only include certain races. As the gentlewoman from Tennessee has said, the Federal Government ought to be colorblind across the board on every issue, especially when it comes to rights. The Second Amendment applies to everybody regardless of their race, just like the First Amendment applies to everybody regardless of their race.

So this amendment would simply tell the Federal Government, it is none of your business the race of a gun purchaser in the United States. Stay out of that issue. Just as equally important, you can't shut some business down if they don't put the right race or ethnicity on every issue, especially when it comes to rights. The Second Amendment applies to everybody regardless of their race, just like the First Amendment applies to everybody regardless of their race.

I urge my colleagues to vote "yes" on this commonsense amendment so that we can reverse this latest regulatory overreach that could result in fairness and privacy are upheld in our Nation's gun laws.

Madam Chair, madam Chair, I yield the balance of my time to the gentleman from Texas (Mr. Poe), my lead cosponsor and an ardent defender of the Second Amendment.

Mr. Poe of Texas. I thank Congresswoman BLACK for this amendment and I urge my colleagues to vote "yes" on this commonsense amendment so that we can reverse this latest regulatory overreach that could result in fairness and privacy being upheld in our Nation's gun laws.

Madam Chair, I yield the balance of my time to the gentleman from Texas (Mr. Poe), my lead cosponsor and an ardent defender of the Second Amendment.

Mr. Poe of Texas. I thank Congresswoman BLACK for this amendment and
you will be able to suppress the sound on it, and you won’t have to identify yourself by these characteristics that are attacked in this amendment, but I want to just kind of set the facts straight.

First of all, this information has been required since 1968. I know people are excited about it tonight. I know there is a lot of enthusiasm about riding the Nation of having this information, but since the Gun Control Act of 1968, prospective firearm purchasers have had to record their racial backgrounds.

Now, sometimes, you know, we hear in law enforcement people trying to be politically correct and say, well, we don’t want you to be too descriptive of a suspect in a crime. Identifying them by race or something, but, you know, the reason why we have this information has nothing to do with prohibiting people’s Second Amendment rights. This is about how to track down someone who has done something wrong, who purchased the gun that was used in a crime.

The information is not held by the Federal Government, notwithstanding the excitement on the House floor tonight. It is held by the dealer. It is not centralized in any way, but it is a law enforcement data point. Sometimes we actually need data, we need information so that if something has been done with a gun that is unlawful, somebody can figure out who purchased it; and you can also clarify who the people are, if they have similar names, similar backgrounds, or whatever may be the case.

So it is just basic information that any law enforcement person would want to have, the race and ethnic background of the owner of the weapon that was used in a neighborhood near you to harm one of the people whom you have been elected to represent, and to decide tonight, well, what we want to do is strip that information away under some pretense. What we just heard was an argument that somehow someone was trying to say that the Second Amendment discriminated against somebody on a racial basis, and of course anyone can win that straw argument because it is nonsensical. No one is arguing that.

We are talking about basic information that is needed for law enforcement purposes that the majority tonight wants to deny from the ATP. That is something that I would hope the majority wouldn’t do, but they obviously have the votes to do as they please. I will be against it.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Tennessee (Mrs. BLACK).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. RICHMOND

Mr. RICHMOND. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The amendment was agreed to.

At the end of the bill, before the short title, insert the following:

S16...The amounts otherwise provided by this Act are revised by reducing the aggregate amount made available for “Federal Prison System—Salaries and Expenses”, and by increasing the amount made available for “Office of Justice Programs—Juvenile Justice Programs” for youth mentoring grants, by $155,900,000.

Mr. RICHMOND (during the reading). Madam Chair, I ask unanimous consent to dispense with the reading of the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Louisiana?

Mr. CULBERSON. Madam Chair, which amendment is the gentleman offering?

Mr. RICHMOND. I only have one amendment, and it is the amendment to move $155 million from the Bureau of Prisons over to the Juvenile Justice program.

The Acting CHAIR. The Clerk will continue to read the amendment.

The Clerk continued to read:

Mr. CULBERSON. Madam Chair, I reserve a point of order against the gentleman’s amendment.

The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 287, the gentleman from Louisiana and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana.

Mr. RICHMOND. Madam Chair, I rise today to talk about something that I would hope is important to both sides of the aisle, and that is our youth. Here in Congress we talk about how important a lot of things are: education, public safety, strong communities, freedom, and prosperity. If we have a goal of keeping our children in school and on the path to success, cutting Juvenile Justice programs is the wrong way to go in order to reach that.

We know that supporting programs that keep our children out of jail is one of the best investments we can make, and it gives us one of our highest returns on our investment.

On any given day in this country, there are over 70,000 juveniles in jail around the country. This incarceration is not cheap. We spend about $6 billion a year on juveniles in prison. Interactions with the criminal justice system at a young age can have a ripple effect that makes it harder for children to achieve success later.

Students who are arrested early in high school are six to eight times more likely to drop out of high school. What is more, children who are incarcerated are almost 40 percent less likely to graduate from high school and 40 percent more likely to be in prison at the age of 25. Finally, if someone with an arrest record as a juvenile does graduate high school, they are still only half as likely to enroll in a 4-year college.

In short, keeping our children out of jail has benefits to the children, their families, our communities, and to the Nation as a whole. This President realigned all of this when he made his budget request. That is why he requested more than $300 million for a variety of authorized programs aimed at improving public safety and keeping children out of the path to college and careers instead of the path to prison.

Unfortunately, the bill in front of us calls for devastating cuts to these vital programs. The funding level in the bill is more than $155 million below the President’s request. My amendment today would simply bring the funding for Juvenile Justice back in line with the President’s request by funding one of the only programs left available in the bill, and that is mentoring. By increasing the role and capacity for mentoring programs across the Nation, we can have a true impact on children in every community.

With that, I reserve the balance of my time.

Mr. CULBERSON. Mr. Chairman, I will assert my point of order against the amendment, depending on what the gentleman intends to do.

Does the gentleman intend to withdraw the amendment?

Mr. RICHMOND. I would like to know what the point of order is. I am just shifting money from one thing that is already in the budget to something that is already in the budget.

POINT OF ORDER

Mr. CULBERSON. The amendment is subject to a point of order on the basis that it proposes to increase an appropriation not authorized by law. Mr. Chairman, and, therefore, is in violation of clause 2(a) of rule XXI.

Although the original account funding for the Office of Juvenile Justice contains a number of programs that are unauthorized, it was permitted to remain in the bill pursuant to the provisions of the rule that provided for the consideration of this bill.

When an unauthorized appropriation is permitted to remain in a general appropriations bill, an amendment merely changing the amount is in order, but the rules of the House apply a “merely perfecting standard” to the items permitted to remain, and do not allow the introduction of a new paragraph that was not part of the original text permitted to remain to increase a figure that was permitted to remain.

This amendment proposes to add funding as a reach-back to an unauthorized program, and the amendment, therefore, cannot be construed as merely perfecting.

And therefore, Mr. Chairman, I ask that the Chair rule the amendment out of order.

The Acting CHAIR (Mr. STIVERS). Does any other Member wish to be heard on the point of order?

Mr. FAFTAH. I understand the spirit of the chairman’s statement. I just
want to comment that one of the things that we have done is we have worked over a number of years and doubled the amount of money going into youth mentoring. I think that the chairman and I agree with the spirit of your amendment and that it is a much more worthy investment for the country to keep our young people on the straight and narrow than to try to repair, as has been said, a broken adult. We continue to have an interest in building this part of the appropriations bill. Notwithstanding the complicated set of rules relative to the authorized and the non-authorized portion, we continue to want to work with you as we go forward on this matter.

Mr. CULBERSON. I want to, if I could, express my support for the ranking member's comments, but I do need to assert the point of order.

Mr. RICHMOND. If the gentleman does not assert the point of order now, then what I will do is just wrap up and ask unanimous consent to withdraw my amendment.

Mr. CULBERSON. If the gentleman withdraws the amendment, I withdraw my point of order.

The Acting CHAIR. Does the gentleman seek to withdraw the amendment?

Mr. RICHMOND. I was going to close and use the remaining time and then withdraw the amendment.

The Acting CHAIR. A point of order is currently pending.

Mr. CULBERSON. I reserve my point of order. Once the gentleman withdraws, I will withdraw the point of order, but we do need to conclude this. We will work together with Mr. FATTAH on juvenile justice to keep young people out of prison.

The Acting CHAIR. Does the gentleman seek to withdraw the point of order?

Mr. CULBERSON. I reserve the point of order. I will withdraw the point of order, but we do need to conclude this. We will work together with Mr. FATTAH on juvenile justice to keep young people out of prison.

The Acting CHAIR. The gentleman's earlier point of order is withdrawn. A point of order is now reserved.

The Acting CHAIR. The gentleman's earlier point of order is withdrawn. A point of order is now reserved.

The Acting CHAIR. The gentleman's earlier point of order is withdrawn. A point of order is now reserved.

The Acting CHAIR. The gentleman recognizes the gentleman from Louisiana.

Mr. RICHMOND. Mr. Chairman, I would just say I started coaching Little League at 16, and I continue to do that today, and I continue also to mentor.

I would just say that as we look at the budget and we try to do things to bring the budget back into balance, we keep leaving out the point of return on investment. And if we continue to invest in things that are going to give us more than a one-to-one return, then we are actually gaining a benefit that will allow us to cut down the deficit.

And then I would just quickly add in the same spirit that I am working together that it is almost like the field of dreams for the Bureau of Prisons. If you appropriate it, they will spend it. And if they build it, they will fill it. We don't want to do that when we have a greater avenue, I think, to put our youth on a better path and not only save money, but create less victims of crime.

So with that, I would just remind all of our Members that I hope we continue to work together. And we should really be careful here because the life you save may be your own.

I thank the chairman for his cooperation, and I ask unanimous consent to withdraw the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

AMENDMENT OFFERED BY MR. MEADOWS

Mr. MEADOWS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

Snc... None of the funds made available by this Act may be used to negotiate or enter into a trade agreement that establishes a limit on greenhouse gas emissions for the United States. The limitation described in this section shall not apply in the case of the administration of a tax or tariff.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from North Carolina and a Member opposed each will control 5 minutes.

The Acting CHAIR. The gentleman recognizes the gentleman from North Carolina.

Mr. MEADOWS. My amendment would prohibit the administration from using any funds from this bill to advocate or support a position in trade negotiations or enter into a trade agreement that would limit greenhouse gas emissions in the United States. Basically, the amendment would prohibit the Obama administration from trying to address "climate change" through trade agreements.

The last few years, we have seen the administration intentionally work around Congress to implement its own agenda.

Mr. Chairman, the hour is late. There are many things that need to be debated and heard, and with that, I reserve the balance of my time.

Mr. FATTAH. Mr. Chairman, I rise in opposition.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. I am not sure this is the right place to be imposing on trade agreements that would be opposed to this. We won't be seeking a recorded vote, but we would be opposed to this. I reserve the balance of my time.

Mr. MEADOWS. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas (Mr. CULBERSON), the chairman of the Appropriations subcommittee, who has done great work.

Mr. CULBERSON. I strongly support this amendment. It is important that these trade agreements not be negotiated in ways that would supersede the authority of this Congress. Any limitation on greenhouse gases should be debated in this Congress and enacted by Congress and should not be any part of any trade agreement.

So I strongly support the gentleman's amendment in the same spirit that we have got language in this bill that prohibits use of funds to negotiate the so-called arms control treaty, which would interfere with our Second Amendment rights. We have prohibited that. We have shut down the U.N. arms control treaty in this bill. Similarly, let's shut down any attempt to impose greenhouse gas limits on the United States through a trade agreement.

I strongly support the gentleman's amendment and urge Members to vote "yes."

Mr. FATTAH. I yield back the balance of my time.

Mr. MEADOWS. Mr. Chairman, I urge support, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from North Carolina (Mr. MEADOWS).

The amendment was agreed to.

The Acting CHAIR. The amendment is withdrawn.

AMENDMENT OFFERED BY MR. GRAYSON

Mr. GRAYSON. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), add the following new section:

Snc... None of the funds made available by this Act may be used to enter into a contract with any offeror or any of its principals if the offeror certifies, as required by Federal Acquisition Regulation, that the offeror or any of its principals:

(A) within a three-year period preceding this offer has been convicted of or had a civil judgment rendered against it for: commission of fraud, or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) contract or subcontract; violation of Federal or State antitrust statutes relating to the submission of offers; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, violating Federal criminal tax laws, or receiving stolen property;

(B) are presently indicted for, or otherwise criminally or civilly charged by a governmental entity with, commission of any of the offenses enumerated above in subsection (A); or

(C) within a three-year period preceding this offer, has been notified of any delinquent Federal taxes in an amount that exceeds $3,000 for which the liability remains unsatisfied.

Mr. GRAYSON (during the reading). Mr. Chair, I ask unanimous consent that the reading be waived.

The Acting CHAIR. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Florida and a Member opposed each will control 5 minutes.

The Acting CHAIR. The gentleman recognizes the gentleman from Florida.
Mr. GRAYSON. Mr. Chairman, this amendment is identical to other amendments that have been inserted by voice vote into every appropriations bill considered under an open rule this year and in the last Congress as well. My amendment expands the list of parties with whom the Federal Government is prohibited from contracting due to serious misconduct on the part of the contractors. Specifically, the list would include contractors who within a 3-year period preceding an offer or contract have been convicted or have had a civil judgment rendered against them for fraud, violation of Federal or state antitrust laws, embezzlement, theft, forgery, bribery, violation of Federal tax laws, and other items outlined in section 52.209-5 of title 48 of the Code of Federal Regulations.

§ 0010

These are all offenses which any contractor doing business with the Federal Government from having disclosed to a contracting officer, but oddly enough, the contracting officer would then be free to ignore these transgressions and award contracts to offending entities, absent my amendment.

I commend the authors of this bill for their inclusion of section 52.3. I still believe, however, that we can improve on this bill by prohibiting agencies from contracting with those entities who have engaged in the activities described.

It is my hope that this amendment will be noncontroversial, as it has been on every previous occasion and again be passed unanimously by the House.

I reserve the balance of my time.

Mr. FATTAH. Mr. Chairman, I claim the time in opposition, but I am not opposed to the amendment.

The Acting CHAIR. The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

Mr. HUDSON. Mr. Chairman, I am not opposed to the amendment. I am prepared to accept the amendment and support it, and I thank the gentleman for offering it.

I speak even for the chairman in this matter. We are ready to rock and roll, so we accept the amendment.

I yield back the balance of my time.

Mr. GRAYSON. I yield back the balance of my time.

The Acting CHAIR. The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. GRAYSON).

The amendment was agreed to.

The Acting CHAIR. The Acting CHAIR. Amendment offered by Mr. HUDSON

Mr. HUDSON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Acting CHAIR. The Clerk will report the amendment.

The Clerk raises a point of order: At the end of the bill (before the short title), insert the following:

Mr. ROUZER. Mr. Chairman, I am proud to stand with my colleagues from North Carolina (Mr. ROUZER).

Mr. ROUZER. Mr. Chairman, I am proud to stand with my colleagues from North Carolina in support of this amendment. In the eyes of our Founding Fathers, the right to bear arms was just as fundamental as the freedom of speech. The Second Amendment ensures our right, as law-abiding American citizens, to bear arms to protect ourselves from enemies, both foreign and domestic.

It is no secret that our Second Amendment rights have been threatened by the government in the Obama administration. Earlier this year, the Bureau of Alcohol, Tobacco, Firearms and Explosives doubled down on attempting to ban lead projectiles, as they claim the ammunition is armor piercing.

They proposed a ban on the manufacturing and sale of certain AR-15 ammunition that could have drastically reduced the availability of ammunition commonly used for sporting and other legitimate purposes.

Because of the strong objections from gun owners and constitutional conservatives across the country, ATF decided to table their proposal, at least for now.

Mr. Chairman, our constitutional rights should not be left up to the whims of Federal bureaucrats in Washington. This amendment simply ensures that Federal funds cannot be used to ban the certain types of commonly used ammunition, and I encourage my colleagues to support it.

Mr. FATTAH. Mr. Chairman, I rise in opposition to the amendment.

As you recall, the ATF recently tried to ban common rifle ammunition that has been legally used by law-abiding American sportsmen for decades. It was only after receiving intense pressure and more than 80,000 public comments and, frankly, the direct intervention of Chairman CULBERSON that the administration stalled their proposed ban.

As the clock ticks down on this President's second term, the administration is cooking up more than a dozen gun control regulations and has left the door open to reconsider future ammo bans.

This determination to unconstitutionally restrict one of our most fundamental rights and—I would argue—our first freedom has nothing to do with safety or security and everything to do with government control.

My amendment, previously introduced as a stand-alone bill by my good friend and colleague, Chief Deputy Whip PATRICK MCHENRY, from North Carolina, would put an end to this attack on our Second Amendment rights by ensuring this popular ammunition remains available and not subject to any future ATF bans.

Mr. Chairman, like many of my constituents from North Carolina, I like to spend time outdoors in a deer stand, in a field, or at the range. I will not stand idly by and allow a unilateral executive fiat to threaten our right to enjoy this cherished American tradition.

The Second Amendment is not about hunting or shooting sports. Our right to keep and bear arms is a right that ensures our ability to protect all of our rights. That is why I refer to it as our first freedom. This fundamental freedom must be defended and protected.

For that reason, I encourage my colleagues in the House to support this amendment.

Mr. Chairman, I yield such time as he may consume to my colleague from North Carolina (Mr. ROUZER).

Mr. ROUZER. Mr. Chairman, I am proud to stand with my colleague from North Carolina in support of this amendment. In the eyes of our Founding Fathers, the right to bear arms was just as fundamental as the freedom of speech. The Second Amendment ensures our right, as law-abiding American citizens, to bear arms to protect ourselves from enemies, both foreign and domestic.
Mr. HUDSON. Mr. Chairman, I appreciate my colleague’s rhetorical question. Mr. Chairman, I would just say that the point is a 5.56 green tip bullet is not an armor-piercing bullet. The only reason it has been called an armor-piercing bullet is because of a loophole, and that is my point.

We have an administration that has just put out a whole list of regulations that say they want to restrict the rights of people because they may or may not have a mental illness. They want to put a whole range of regulations that they would like to roll out in the final days of this administration to limit, to infringe upon our Second Amendment rights. What I am saying is we are not going to stand for that.

The bullet, the round that I am talking about is not an armor-piercing round; it has never been defined as an armor-piercing round, but because of a loophole, this administration tried to ban it as such.

Having said that, I yield the balance of my time to the gentleman from Texas (Mr. CULBERSON), the chairman.

Mr. CULBERSON. I want to express my very strong support for the gentleman’s amendment. The gentleman’s amendment is necessary because the ATF did come out with a very broad legal framework within which they were attempting to ban not only 223 ammunition, but potentially whole other categories of ammunition, and that is just one of the things that the statute was intended to prevent.

The statute was intended to prevent specific types of armor-piercing bullets from being used in pistols. The ATF was taking that far beyond the statute. It was necessary for—as new committee subcommittee chairman, I was able to step in and persuade the ATF to drop their ammo ban.

Mr. HUDSON’s amendment is necessary to make sure it doesn’t happen again in the future, and I urge Members to support his amendment in the strongest possible terms to defend our Second Amendment rights.

Mr. HUDSON. Mr. Chair, I yield back the balance of my time.

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

Mr. Chairman, I would just hope that none of my good friends on the other side decide to test this theory about whether or not it can pierce armor, that you don’t take the rhetoric to an extreme here. It is a fact that there is some concern about what this means for law-abiding citizens, but the majority would want to be seen, and I think truly is, in support of law enforcement.

Why would we want to put this type of ammunition in guns that we want to suppress the sound on, in which we want to use in support of what a chaser, at a time like this in our Nation I don’t actually understand. But there is obviously some thread that runs through the other team over here that suggests that this is the time for them to proceed along this line. I think that the American public will have to make whatever judgment they want to make about that. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from North Carolina (Mr. HUDSON).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. COLLINS OF GEORGIA

Mr. COLLINS of Georgia. Mr. Chairman, I have an amendment at the desk. The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title) insert the following:

SEC. 930. None of the funds made available by this Act may be used to provide assistance to a State, or political subdivision of a State, that has in effect any law, policy, or procedure in violation of immigration law (as defined in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17))).

Mr. COLLINS of Georgia (during the reading). Mr. Chair, I ask unanimous consent to dispense with the reading.

The Acting CHAIR. Is there objection to the amendment? There were no objections. Mr. CULBERSON. Mr. Chairman, I reserve a point of order on the gentleman’s amendment.

The Acting CHAIR. A point of order is reserved.

Mr. CULBERSON. Mr. Chairman, I support the gentleman’s amendment, and I withdraw the point of order.

The Acting CHAIR. The point of order is withdrawn.

Mr. FATTAH. Mr. Chairman, I reserve a point of order on the gentleman’s amendment.

The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 287, the gentleman from Georgia and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. COLLINS of Georgia. Mr. Chairman, I rise today with basically a commonsense amendment on H.R. 2578. I appreciate the hard work that Chair CULBERSON, Ranking Member FATTAH, and other members of the Appropriations Committee have put into this bill.

This bill contains many important provisions to protect law-abiding Americans and public safety while spending responsibly; however, I want to make it absolutely clear that no funds appropriated under this bill are used to assist States and localities whose laws and policies are in direct contradiction to Federal immigration law and enforcement efforts. My amendment is not an amendment; it ensures that we do not reward State and local governments with Federal funds when they ignore the rule of law.

State and local jurisdictions are implementing policies that directly contradict U.S. Immigration and Customs Enforcement’s statutorily mandated mission to identify and remove illegal aliens who are currently incarcerated. At this point, we have some local sheriffs who choose to follow Federal law and honor ICE detainers slapped with lawsuits for cooperating, for following the law.

Mr. Chairman, this is an amendment that was offered and accepted last year. We are offering it again and would ask favorable consideration. With that, I reserve the balance of my time.

The Acting CHAIR. Does the gentleman from Pennsylvania continue to reserve his point of order?

Mr. FATTAH. I would like, at this point, unless there are more comments, to reserve the point of order.

Mr. HUDSON. Mr. Chair, I appreciate the hard work that Chair CULBERSON, Ranking Member FATTAH, and other members of the Appropriations Committee have put into this bill.

This amendment is not in contradiction of current law. In fact, it simply states that the amendment would not allow funds to be used in support of holding up law as it is currently written. This is not a law that is written to circumvent current law. In fact, all it says is that States and localities who encourage the money will actually support current law. So I am not sure what the point of order is actually trying to say.

This was put in last year. It was approved. I understand. I appreciate the gentleman’s concern. But, basically, we are saying if you enforce the law as it is written, which is all we are asking, then the grant is there. If you choose not to enforce Federal law, then that is your responsibility. The Acting CHAIR. Does the gentleman from Georgia wish to withdraw his amendment?
Mr. COLLINS of Georgia. Not at this point.

Mr. FATTAH. Mr. Chairman, we will respect the ruling of the Chair.

The Acting CHAIR. Does any other Member wish to be heard on the point of order?

The gentleman from Texas is recognized.

Mr. CULBERSON. Mr. Chairman, I would like to reiterate that I agree with the gentleman from Georgia. This does not change existing law. It simply states that if you expect to receive Federal money, you need to be in compliance with Federal law. It is pretty straightforward.

The Acting CHAIR. The Chair is prepared to rule.

The Chair finds that this amendment includes language requiring a new determination as to the status of local law.

The amendment, therefore, constitutes legislation in violation of clause 2 of rule XXI. The point of order is sustained, and the amendment is not in order.

AMENDMENT OFFERED BY MR. GRAYSON

Mr. GRAYSON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk reads as follows:

SEC. ___. None of the finds made available by this Act may be used to negotiate or enter into a trade agreement whose negotiating texts are confidential. The limitation described in this section shall not apply in the case of the administration of a tax or tariff.

The Acting CHAIR. Pursuant to House Resolution 297, the gentleman from Florida and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. GRAYSON. Mr. Chairman, this amendment is akin to an amendment that was considered just a few moments ago offered by Mr. MEADOWS. This amendment is meant to address a problem that has arisen with trade agreements that has become visible to all of us as Members of this august body.

What has happened is that the Trade Representative, for no apparent legal reason, with no apparent legal authority, has taken it upon himself to negotiate trade agreements like the Trans-Pacific Partnership in secret—not entirely in secret, just in secret from us and from members of the American public.

The corresponding provision, the TTIP provision, has been posted by the European Union, which is our negotiating partner in this on the Internet.

The Trans-Pacific Partnership itself has been negotiated in secret, but that has been posted by WikiLeaks, to the embarrassment of our government in an unnecessary manner.

What we have seen over the past several years is that the Trade Representative has turned a deaf ear to our concerns as Members of Congress who must perform our oversight functions whenever we ask for information about what the Trade Representative is doing on behalf of the American people.

Three years ago, we had the strange circumstance come up that over 100 Members of this body, wrote a letter to the Trade Representative saying: We hear you are negotiating something called the Trans-Pacific Partnership. Would you please give us a copy?

And the answer came back: No. We are not going to give you a copy.

For the past 5 years, the Trans-Pacific Partnership has been negotiated in secret. Only in the last few months, Members of Congress have been able to see it under the most extreme conditions imaginable. I was actually the first person to be able to see it, and the Trade Representative came to my office with his staff and offered to show it to me, but I couldn’t take any notes.

I couldn’t discuss it with my own staff. I couldn’t even discuss it with other Members of this body. And of course I couldn’t make copies or otherwise have a record of what I had seen, much less speak to my constituents about it, much less speak to the media about it, much less speak to the public about it.

Respectfully, secret laws are un-American laws; secret agreements are un-American agreements. There is no such thing recognized under our Constitution as a “secret statute” or a “secret treaty.” But that is, in effect, what we have been experiencing with the legal authority whereby we cannot even see what we were working out, that is, what the representatives are working out, that is, what our client’s legal authority, the countries with which the Trade Representative is negotiating, the Koreans are attempting to agree to.

Why is it that we have confidentiality? Why is it that we have a classified information system? Generally speaking, it is not to keep Americans from seeing this information; it is to keep foreigners from seeing this information. And here the world has been turned upside down, and we have a situation where foreigners get to see it, but even the highest members of our own government—our Senators, our Congressmen—we don’t get to see it. That is absolutely unacceptable; it is un-American.

The only way to come up with agreements that satisfy the needs of this country is through an open, fair, transparent process. That is what this simple amendment will accomplish. It says: None of the funds made available under this act, which includes funds made to the Trade Representative, may be used to negotiate or enter into a trade agreement whose negotiating texts are confidential.

It is time for a little sunlight. Sunlight is the best disinfectant. It is time for the Members of this body to take control of our constitutional responsibilities, not to let the Trade Representative or any member of the executive branch tell us the Members of this body what we need to do, what we need to find out things in order to be able to do our jobs properly.

Wouldn’t it be a better system if we were able to tell a trade representative what we think, what our constituents think, what the American public think about these documents before they are simply dropped on us?

This is a simple commonsense amendment. There is no existing legal authority that allows the Trade Representative to do what he has been doing. I say the time is up and we should insist that these agreements, which will determine the course of economic history in America for the next 20 or 30 years, are negotiated in public with our approval and with our input.

I reserve the balance of my time.

Mr. CULBERSON. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. Mr. Chairman, the gentleman from Florida I know has been in the past as an attorney and represented clients and undoubtedly has settled cases before. And those settlement agreements, those negotiations, when you were designing those agreements, Mr. GRAYSON, I know we are not the only client that would have damaged your client’s ability to negotiate a fair settlement with the other party in the case.

As here, with trade promotion authority, the countries with which the Trade Representative is negotiating, Japan for example, the Japanese want the Australians to see what the Japanese are agreeing to. That is just common sense. I doubt that the Koreans want the Japanese to see what the Koreans are attempting to agree to.

So it is perfectly understandable that the agreement itself would be confidential until it is finalized. Members of Congress can see the agreement, but the Korean-American Trade Agreement is going to be confidential until it is finally settled because Korea doesn’t want Japan or Australia or Vietnam to see what they are negotiating, in the same way you did not want your clients, the agreement you were attempting to negotiate on behalf of your client, you didn’t want to do that in the open sunshine. Sunshine is a good thing, but there are times when a negotiation like this on a trade agreement is just common sense. You are not attempting to negotiate on behalf of the other countries that you are competing against to see what kind of a deal you are fixing to work out with the United States.
The Members of Congress can see it, of course, as we should, and the agreement itself must be available to the public to view 90 days before the President can even sign the agreement, and the Congress is going to have this debate. In fact, I understand that this trade authorization agreement that is under discussion, the new law that Congress is proposing, would for the first time give either House of Congress a veto over the agreement with a majority vote. So the House could decide to veto a particular trade agreement by majority vote; the Senate could veto a trade agreement by majority vote.

The only part of the deal so far that is confidential is the ongoing negotiation, which is exactly the way you handled and protected your client’s best interest as an attorney. I am quite confident as an attorney you handled your client’s litigation in a way that was professional and confidential, and I imagine you never disclosed a pending settlement agreement that was being negotiated, you never released that publicly, did you ever, Mr. Grayson?

Mr. Grayson. Is the gentleman yielding to me?

Mr. Culberson. Did you ever release a negotiated settlement agreement to the public before it was finalized?

Mr. Grayson. Is the gentleman yielding to me?

Mr. Culberson. No. Answer my question, yes or no.

Mr. Grayson. Well, I can’t answer your question unless you are going to yield to me.

Mr. Culberson. That is why I am asking a question. I am asking you, did you ever release the terms of a settlement agreement you were negotiating before it was final?

The Acting Chair. The gentleman from Texas controls the time.

Mr. Culberson. Yes. And I am asking a question.

I was an attorney myself. I defended businesses in civil litigation, and any settlement agreement that we worked on was done confidentiality. And I would ask Mr. Grayson, did you ever disclose a confidential settlement negotiation publicly when you were negotiating on behalf of your client?

Mr. Grayson. Is the gentleman yielding the balance of his time to me?

Mr. Culberson. No. I am not yielding the balance of my time. I am just asking a question.

I am quite confident Mr. Grayson always kept those negotiations secret. That is all that is being kept secret here. And it is actually not secret because Members of Congress can go read the text of the trade agreement that is being negotiated. And if any of us have any sort of an objection, that is a good time to raise it, to tell the Trade Representative that you think this or that provision is going to either be in violation of Federal law or cause a problem for American industry and we think you ought to drop it.

So you have actually got an opportunity to have your 2 cents’ worth heard during the course of the negotiation. So I would urge Members to oppose Mr. Grayson’s amendment for the same reason that Mr. Grayson always kept his settlement negotiations confidential on behalf of his clients.

I reserve the balance of my time.

The Acting Chair. The gentleman from Florida has 15 seconds remaining. The gentleman from Texas has 30 seconds remaining.

Mr. Grayson. Mr. Chairman, I ask unanimous consent for another minute beyond my 15 seconds.

Mr. Culberson. I object. We are limited to 5 minutes and it is 12:30 at noon.

The Acting Chair. There is an objection. The gentleman has 15 seconds.

Mr. Grayson. First of all, I represent the American public here, not the American private. When I was an attorney, I represented private interests, just as you did. Now I represent the public. The reason we refer to the American public as the public is because the public’s business needs to be public. That means no secret negotiations, no secret agreements, nothing but the public interest in public.

The Acting Chair. The time of the gentleman has expired.

Mr. Culberson. Mr. Chairman, I think Mr. Grayson’s answer confirms that he did not ever disclose a negotiated settlement before it was final, and that is just common sense. And here, under trade promotion authority, the trade agreement, as it is being negotiated, needs to be kept confidential. But any Member of Congress can go in and see it and have our voices heard, object, suggest changes to it, as it is being negotiated. And then once it is finalized, the agreement is made available to the public 90 days before the President signs the agreement, and then either House of Congress can void the agreement by a majority vote. We are going to have this debate, and I urge Members 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 Florida (Mr. Grayson).

The question was taken, and the Acting Chair announced that the noes appeared to have it.

Mr. Grayson. 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 Florida will be postponed.
The Acting CHAIR. The time of the gentleman has expired.

Mr. ROHRABACHER. I yield myself 10 seconds.

Stop this waste of limited Federal law enforcement resources. Stop the roughhousing of the Federal bureaucracy from busting down doors to prevent sick people from using a substance that his or her doctor believes might alleviate his or her pain.

Vote for the Rohrabacher amendment.

The Acting CHAIR. The time of the gentleman has again expired.

Mr. FLEMING. Mr. Chairman, I rise in opposition to the gentleman’s amendment.

The Acting CHAIR. The gentleman from Louisiana is recognized for 5 minutes.

Mr. FLEMING. Mr. Chairman, I yield myself 1 minute.

First of all, I hear constantly of this idea about individual rights, about the 10th Amendment, etcetera. This was all settled back in 2005 in the Supreme Court with Gonzales versus. Raich, which was a 6-3 victory in favor of the government’s having preemptive rights when it comes to the drug laws, the CSA. That has been settled. We can claim this over and over again, but bring it back to the Court and see if you can change that.

Now, how is this affecting us in real life? It is now legal in Colorado, but Nebraska and Oklahoma are not. What is the reasoning? Why? It is because of all the problems that are developing across the State borders—again, interstate commerce, a big problem.

Let’s talk about the huge problem that marijuana represents. First of all, it has no accepted medical use.

The Acting CHAIR. The time of the gentleman has expired.

Mr. FLEMING. I yield myself an additional 30 seconds.

There are synthetic marijuana equivalents that are useful—yes, indeed—but the drug itself, which is the smokeable part of it, is not safe and has not been accepted.

Here is the thing. It is known to have brain development alterations; schizophrenia and other forms of mental illness; psychosis; heart complications; and an increased risk of stroke.

A study recently found that even casual users experience severe brain abnormalities on MRIs and that pot smoking leads to the loss of ambition; to lower IQs; and that it impairs memory; and that it impairs attention, judgment, memory, and many other things.

I reserve the balance of my time.

Mr. ROHRABACHER. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. FARR).

Mr. FARR. Mr. Chairman, Congress needs to represent the States that they were elected in. It is time that we represent them here in the United States Congress. We need to pass laws in those States that have been approved by the voters and approved by their legislatures—39 States, the District of Columbia, and Guam. That is 41 percent of the United States of America. It is a State’s rights issue. Support this amendment.

Mr. FLEMING. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from Louisiana has 3 minutes remaining, and the gentleman from California has 2 minutes remaining.

Mr. FLEMING. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. GOODLATTE).

Mr. GOODLATTE. Mr. Chairman, the supporters of this amendment claim that this is a State’s rights issue. However, it is not that simple, not hardly.

Drug manufacturers and users is inherently an interstate problem.

For example, we need look no further than at one of the two States where marijuana has been legalized. The Colorado Department of Revenue has reported that 2 percent of marijuana sales in the State were to out-of-State holders.

Indeed, earlier this year, Colorado Governor Hickenlooper said, “If I could’ve waved a wand the day after the election, I would have reversed the election and said, ‘This was a bad idea.’ ”

In fact, Colorado is now being sued by Nebraska and Oklahoma, which claim Colorado has created a “dangerous gap” in the control of marijuana and that marijuana is flowing from Colorado to neighboring States.

However, Mr. Chairman, of far greater concern to me is the increased availability of marijuana to children, which will inevitably result from a loosening of restrictions on this dangerous drug. Though my colleagues may not like it, marijuana remains a schedule I narcotic because it has a high potential for abuse and has no legitimate medical use.

In fact, Mr. Chairman, statistics show that 78 percent of the 2.4 million people who began using marijuana last year were aged 12 to 20.

There is little doubt that this drug poses a significant danger to our children, and I urge a “no” vote on this amendment.

Mr. ROHRABACHER. Mr. Chairman, I yield 30 seconds to the gentlewoman from California (Ms. LEE).

Ms. LEE. I want to thank the gentleman for allowing me to speak. I yield 30 seconds to the gentleman from California (Ms. LEE).

Ms. LEE. I want to thank the gentleman for yielding and for his leadership on this amendment.

Mr. Chairman, of course, I rise in support of this bipartisan amendment. In States where marijuana laws, patients now face uncertainty regarding their treatment, and small-business owners, who have invested millions in creating jobs and revenue, have no assurance for the future.

It is way past the time for the Justice Department to stop its unwarranted persecution of medical marijuana and to put its resources where they are truly needed. There is no way that Members of Congress should tell people how to live their lives when these laws have been passed that what their doctors prescribe, which could prevent pain, should not be allowed.

Mr. ROHRABACHER. Mr. Chairman, I yield 30 seconds to the gentleman from Tennessee (Mr. COHEN).

Mr. COHEN. I appreciate the time, and I appreciate all of the work that Mr. Rohrabacher and Mr. Farr have done, and I am happy to join with them.

Mr. Chairman, Justice Brandeis said the States are the laboratories of democracy. That is what they are doing here. Some of the arguments we have heard are “Reefer Madness” 2015. It is over. One of the gentlemen said children are doing marijuana at age 12. That will show you how good the laws are doing right now.

If we had more money going into heroines, and our Federal resources geared towards crime that we view as more important. Have them go after the meth lab. Have them go after the heroin ring.

Mr. ROHRABACHER. Mr. Chairman, I yield 30 seconds to the gentleman from Colorado (Mr. POLIS).

Mr. POLIS. Mr. Chairman, by the way it has been talked about by some on the other side, to be clear, this amendment does not legalize marijuana. It simply ensures that the Federal Government does not waste its limited resources in prosecuting men and women who are acting in compliance with State and medical marijuana laws. That is all it does.

It is very reasonable that States have enforcement priorities in this area, and we want our Federal resources geared towards crime that we view as more important. Have them go after the meth lab. Have them go after the heroin ring.

Colorado has had legal medical marijuana for nearly a decade. Some in our State are for it; some are against it. It is our right as a State to determine this issue. That is why I support this amendment.

Mr. ROHRABACHER. I yield 30 seconds to the gentlewoman from Nevada (Ms. TITUS).

Ms. TITUS. Mr. Chairman, this amendment is about standing up for States’ rights and protecting businesses, doctors, and patients who are acting legally under the medical marijuana laws of some 41 States and territories, including Nevada. Congress needs to catch up with science, and the Federal Government needs to stop wasting money busting good citizens who are trying to do the right thing.

Mr. FLEMING. I continue to reserve the balance of my time.

Mr. ROHRABACHER. Mr. Chair, who has the right to close?

The Acting CHAIR. The gentleman from California has the right to close.

Mr. FLEMING. May I inquire how much time I have remaining?
The Acting CHAIR. The gentleman from Louisiana has 2 minutes remaining, and the gentleman from California has 15 seconds remaining.

Mr. FLEMING. Let me say, first of all, this whole idea of medical marijuana is a big joke. It is an end run around the law. There are poppy shops in California than there are Starbucks or McDonald's; okay?

Now, is it really a medical treatment? Well, the AMA says no. The American Society of Addiction Medicine does not list the American Glaucoma Society, which is of course in charge of glaucoma treatment, says that this is not a medical treatment for glaucoma. So there is no single approved use of marijuana for medical diseases.

The whole idea about medical marijuana is to get around the laws on legalization or legalization of marijuana. But make no mistake about it, the most common addiction diagnosis for young people admitted to drug treatment centers is addiction to marijuana. The rate is 9 percent addiction rate in adults; it is 17 percent in young people.

We all know the studies show very clearly that the States that are more permissive have higher addiction and abuse rates than any others. We also know that NIDA tells us that it is a developmental disease. What does that mean? It means the younger a child is exposed to marijuana the more likely that child will become an addict to something else, like methamphetamine, prescription drugs, heroin. So if you support this, which is really the legalization of marijuana, then you are really supporting allowing our children to be harmed and addicted to this terrible drug.

Now, I am all in favor of research, and we are in discussions with DEA about allowing it in some way, whether we go to a 1a category to allow such research but I am concerned that it may have some benefit for seizures. That is yet to be seen. Some suggest that it may be beneficial to those who have spastic muscle disease, but there is absolutely no proof of that.

So with that, I urge everyone to oppose this amendment. I yield back the balance of my time.

Mr. FLEMING. Mr. Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FLEMING. Will the gentleman yield on that?

Mr. FLEMING. Okay. I am not going to dominate the gentleman's time.

This has been under study for over 40 years. My university, the University of Mississippi, has been legally growing pot for over 40 years and studying it, so it has been studied.

Mr. FATTAH. Reclaiming my time. I know a little bit about this subject. The bottom line is that in terms of its medical viability, in terms of epilepsy and a whole host of other issues, there is some need for a real study of this, not just about the way that we have proceeded so far. I think that this amendment and what is happening in the States should be allowed to go forward.

If I yield to an East Coast colleague from California (Mr. ROHRABACHER) for an opportunity to close on this subject. At that point then I would yield back the remainder of my time.

The Acting CHAIR. The gentleman may not yield blocks of time and must remain on his feet.

Mr. FATTAH. I yield 1½ minutes to Mr. ROHRABACHER.

The Acting CHAIR. The gentleman may not yield blocks of time.

Mr. ROHRABACHER. I yield such time as he may consume, as long as he doesn't go over 1½ minutes.

The Acting CHAIR. The gentleman appreciates that from my colleague.

Look, our Founders didn't want criminal justice to be handled by the Federal Government. I don't know what government you want to have in our country, but most of us here don't believe that the Federal Government—neither did our Founding Fathers—is an all-wise system, that the Federal Government is the only government that has wisdom to make the decisions for the families.

This is absolutely absurd to think that the Federal Government is going to mandate all of these things even though the people of the States and other doctors, many other doctors, would like to have the right to prescribe to their patients what they think is going to alleviate their suffering. No. They should not get in the way. As I said in the first debate, it is sinful for us to try to get in the way between a doctor and his patient, saying, oh no, the Federal Government knows better.

This is a states' rights issue. This is the issue of what our Founding Fathers had in mind for this country, where the decisions would be made like this. They didn't want the Federal Government to have a police force that can bust in people's doors. No. They wanted to have individual freedom, personal choice. They want parents to take care of their kids. They didn't want an all-controlling nanny State to control our lives. That is what this country was supposed to be all about. I thought that is what Republicans were supposed to be all about, and I hope my Republican colleagues will start reexamining whether or not they believe in the fundamental principles of limited government and individual freedom that we have always talked about.

So I would ask my colleagues to join me, reaffirm what our Founding Fathers had in mind, which is freedom, states' rights, limited government, and people making choices about their own lives and being responsible for their families and not shoving that off on the Federal Government.

Mr. FATTAH. Reclaiming the balance of my time. I think I hear that echo again about the right to be left alone.

I yield back the balance of my time.

Mr. ROHRABACHER. Let me just say this. I just wish you would have talked to the very doctors and the people I know that have been suffering, and they have gone to their doctor and asked for help, and the doctors have said, “Yes, medical marijuana will help you”—to believe that the Federal Government can stop that.

I have met people whose suffering has been alleviated. Some veterans I know have gone through seizure after seizure, and they were only helped by medical marijuana. If we have a heart, if we have our beliefs, let's make sure that instead of freedom in this vote, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. ROHRABACHER).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. FLEMING. 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 California will be postponed.

AMENDMENT OFFERED BY MR. GRAYSON

Mr. GRAYSON. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk reads as follows:

At the end of the bill (before the short title), add the following new section:

None of the funds made available by this Act may be used to compel a person to testify about information or sources that the person states in a motion to quash the subpoena that he has obtained as a journalist or reporter and that he regards as confidential.

The Acting CHAIR. Pursuant to House Resolution 267, the gentleman from Florida and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. GRAYSON. Mr. Chairman, this amendment has nothing to do with medical marijuana. It was passed last year by a vote of this body of 225-183; in other words, it passed by a majority of 42 votes.

□ 010

The purpose of this amendment is to raise the possibility of a Federal shield law that corresponds to protections already in place in 49 States but not at the level of the Federal Government.

Again, to be clear about this, 49 States have a Federal shield law. The Federal Government does not—at least up to this point.
A shield law is designed to protect a reporter’s privilege: the right of news reporters to refuse to testify on information and sources of information obtained during the news gathering and dissemination process. In short, a reporter should not be forced to reveal his or her sources under penalty of imprisonment.

This issue has come up in court cases at the Federal level and the Supreme Court level, beginning with the 1972 case of Branzburg v. Hayes. In that case, the Court had to inform his readers about the nature of the drug hashish, and he realized that the only way to go about that was to actually find and interview people who had actually used the drug hashish, so he did that.

After he published his article, relying upon two confidential sources, he was subpoenaed by the police to provide his sources so that they could be arrested, compromising their identity and compromising the confidentiality of the information and sources of information obtained during the news gathering and dissemination process. In short, a reporter’s privilege: the right of news reporters to refuse to testify on information and sources of information obtained during the news gathering and dissemination process.

I also, frankly, think it is astonishing that under Mr. Grayson’s amendment a journalist has the ability to self-certify what is confidential and what is not. I certainly agree with the principle of a strong and free press, but Mr. Grayson’s amendment is written far too broadly and, frankly, would not provide protection to a journalist in a grand jury setting. I think he has neglected that problem.

So I yield to the gentleman from Virginia (Mr. Goodlatte), the chair of the Judiciary Committee, to also speak in opposition to this amendment.

Shield laws for reporters are not a bad concept at all, but this is hardly the way to go about doing it. No State has a law like this language here, where it is so vague that virtually anyone in the United States claiming to be a journalist or reporter—and, by the way, nowadays, when lots of people maintain blogs or posts on the Internet, they could easily claim to be a journalist or reporter—would be covered by this.

So no one intends to have that broad an exception that would allow anyone to evade the requirements that they respond to a legitimate subpoena for investigation by law enforcement, a violation of the law.

This is far too broad. It is something that clearly should be handled by the authorizing committee, the Judiciary Committee, which worked on this for a long period and has struggled with that very definition of journalist or reporter that the gentleman from Florida simply glosses over in this.

And then, to give further exception to simply say that that individual who first claims they are a journalist or reporter and then says, Oh, yeah, that is confidential, that would breed criminal misconduct because criminals would be before the court claiming that they were reporters and that they regarded their information as confidential and, therefore, do not have to respond to a subpoena.

This is a very harmful, very bad way to go about providing protection to legitimate journalists and reporters and should be defeated. I urge my colleagues to join me in voting against it.

Mr. GRAYSON. This is the same parade of horribles that we heard last year before this body voted in favor of this provision at all. It is almost the same, word for word.

Last year, we heard that somehow would allow people to self-certify. Well, in fact, anybody who self-certifies falsely in front of a grand jury is looking at a lot more than 83 days in jail. They are looking at 5 years in Federal prison. They would be prosecuted for perjury if they claimed to be a journalist and weren’t actually a journalist—a fact that I pointed out last year before this amendment was actually passed.

I also want to point out that there is no distinction between a grand jury and an actual jury for this purpose. Forty-nine States all agree that there is no distinction whatsoever. So it is simply false to say that this doesn’t apply to grand jury proceedings. It certainly would apply and does apply to all grand jury proceedings at the State level as well.

And there is nothing vague about this provision at all. In fact, the wording that has been referred to here, that the information has been attained as a journalist or reporter, is exactly the same wording that was in the Grayson amendment last year that passed with a margin of 42 votes.

So none of these old attacks, these unsuccessful attacks, are anything new and deserve any more credence than they received from a majority of this body last year.

I yield back the balance of my time. Mr. CULBERSON. Mr. Chairman, with that, I urge Members to oppose the amendment and urge Members to vote “no”, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. Grayson). The question was taken; and the Acting Chair announced that the nays appeared to have it.

Mr. GRAYSON. 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 Florida will be postponed.
Mr. FLEMING. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The Chair recognizes the gentleman from Louisiana for 5 minutes.

Mr. FLEMING. Mr. Chair, I yield myself 2 minutes.

My friend Mr. MCCLINTOCK makes the point that this should be an experiment within the States, and certainly, that is something that has been a long-held goal and value, but we already have that going.

Today, Colorado, as everyone knows, has legalization of marijuana, notwithstanding what is going on with the Federal Government and its laws, and the information is rolling in, and the information is bad. The black market is worse than ever when it comes to drugs. Interstate commerce has increased, not decreased.

Again, as I stated before, two States, Oklahoma and Nebraska, are now suing Colorado over the bleedover of problems that we already have here. The strength of marijuana is much stronger today in Colorado than it has ever been. The problems are much worse. We are actually seeing related deaths, accidents; and we have even had an overdose death now with the stronger forms of marijuana.

Look, if this is about allowing doctors to work with their patients, let’s admit it. We don’t allow, as a society, doctors to just do anything with any patient. We do have some guidelines and restrictions.

Furthermore, children are the end result of bad decisions in all this. We know that the more it is in the homes, the more it is going to get into the brains and bloodstream of children.

Again, I will mention the number of problems that are developing from it are growing, mostly from what we are seeing in Colorado. Studies show that MRI scans show, even in casual users, profound brain changes. We see that the area that deals with ambition is not. But even if it does, I believe that it does.

In 1992, Supreme Court Justice Louis Brandeis described the beauty of the 10th Amendment this way. He said: “A State may, if its citizens choose, serve as a laboratory; and try novel social and economic experiments without risk to the rest of the country.”

That is exactly what States like Colorado and Oregon have done with legalization and what many more have done with aspects of it. They believe that the harm that might be done by easier access to this drug is outweighed by removing the violent underground economy that is caused by prohibition.

I don’t know if they are right or wrong, but I would like to find out, and their experiment will inform the rest of the country.

Now, the Federal Government has a legitimate authority to dictate a policy to States on matters that occur strictly within their own borders, I believe that it does not. But even if it does, I believe that it should not.

In 1992, Supreme Court Justice Louis Brandeis described the beauty of the 10th Amendment this way. He said: “A State may, if its citizens choose, serve as a laboratory; and try novel social and economic experiments without risk to the rest of the country.”

That is exactly what States like Colorado and Oregon have done with legalization and what many more have done with aspects of it. They believe that the harm that might be done by easier access to this drug is outweighed by removing the violent underground economy that is caused by prohibition.

It is not necessary to become embroiled in the debate over marijuana. These States are having that debate and establishing their laws.

The question is over the right of their people to have these debates, to make these decisions, and for the rest of the Nation to observe and benefit from the outcome for good or ill.

I reserve the balance of my time.
Mr. FLEMING. I yield myself another minute.

What we are finding out from Colorado, we are learning a lot of lessons. One is the way that marijuana is now getting into baked goods, gummy bears. There is a huge spike in emergency rooms with children who are overdosing on marijuana.

Know that if you look, if you actually read what the media says and what the studies show is there are increasing problems in Colorado, not decreasing problems.

Mr. POLIS. Will the gentleman yield?

Mr. FLEMING. I'm sorry, but I can't yield.

Mr. POLIS. The gentleman is inaccurate with regard to his characterization of my State.

The Acting CHAIR. The gentleman will suspend. It is the gentleman from Louisiana's time.

Mr. POLIS. Parliamentary inquiry.

The Acting CHAIR. Does the gentleman from Louisiana yield for a parliamentary inquiry?

Mr. FLEMING. I do not yield.

The Acting CHAIR. The gentleman does not yield. The time is controlled by the gentleman from Louisiana.

Mr. FLEMING. Back to the constitutionality, we may all have different opinions about this, but it has been settled.

The Supreme Court in 2005, Gonzales v. Raich, 6-3, said that the Federal Government does have a right to enforce drug policies and for good reason because we know that drugs cross State lines. It is an interstate commerce issue. What happens in one State affects the other States.

The Acting CHAIR. The time of the gentleman has expired.

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

Mr. MCCLINTOCK. Mr. Chairman, the arguments we are hearing from Mr. FLEMING are the arguments that ought to be heard in the States. I would remind him this measure does not affect marijuana laws involving any conceivable Federal jurisdiction.

It does not affect Federal districts or territories. It does not affect Federal jurisdiction over interstate commerce, including the Federal Government's responsibility to interdict transport among States.

It does not affect Federal districts or territories. It does not affect Federal jurisdiction over interstate commerce, including the Federal Government's responsibility to interdict transport among States.

At some point, Mr. Chairman, we must ask ourselves: Do we believe in the 10th Amendment or do we not? Do we believe in federalism or do we not? Do we believe in freedom or do we not?

I yield back the balance of my time.

Mr. FLEMING. Mr. Chairman, how much time do I have?

The Acting CHAIR. The gentleman from Louisiana has 2 minutes remaining.

Mr. FLEMING. And who has the right to close?

The Acting CHAIR. The gentleman from Louisiana has the only time remaining. The gentleman from California yielded back the balance of his time.

Mr. FLEMING. Again, my good friend from California would suggest that, really, Federal laws have no application, that we should just turn all laws and law enforcement over to the States. That simply isn't the case.

Again, yes, the Federal Government does have jurisdiction. It is called the CSA, the Controlled Substances Act, and it has been around for a long time, and it is enforced by the DEA and many other agencies. I would just say that the gentleman is just flat wrong on that and that the Supreme Court came down on my side.

Again, we can have different opinions, but that is where we are today. I would suggest that perhaps we get the Supreme Court to rule differently if we believe differently.

But again, what is important to me is not the law. What is important to me is what is happening to the children of our Nation, especially Colorado: overdoses, brain changes, loss of IQ, memory loss, and cognitive impairment.

Marijuana smoke has four times the tar of cigarette smoke. Who really believes that we are not going to see an epidemic down the road of lung cancer related to marijuana?

As far as—no, for medical purposes, again, we don't have a single approved specific use of marijuana for medical purposes. And for heaven's sakes, we know that up to 17 percent of people who use it become addicted to it. So the first rule for us as physicians—and I have been a doctor for 40 years—is first do no harm. Well, we are doing a lot of harm with marijuana by legalizing it and liberalizing its use.

Mr. Chairman, I urge my colleagues to vote against this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. MCCLINTOCK).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. MCCLINTOCK. 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 California will be postponed.

Amendment Offered by Mr. PERRY

Mr. PERRY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SNC. . . None of the funds made available by this Act may be used to take any action to prevent a State from implementing any law that makes it lawful to possess, distribute, or use cannabinoid or cannabidiol oil.

Mr. PERRY (during the reading). Mr. Chair, I ask unanimous consent to dispose with the reading.

The Acting CHAIR. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 237, the gentleman from Pennsylvania and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

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

Mr. Chairman, it is important to talk about what this amendment is not, as much as to talk about what it is. This amendment in no way federally legalizes marijuana. It does not allow for the recreational use of marijuana, and I maintain that I am still opposed to the recreational use of marijuana.

What it does is it simply prevents the Federal Government from interfering in States that have legalized CBD and CB oil.

CBD—cannabidiol is how you pronounce it—is an extract from hemp. CBD oil has been known to reduce the amount or duration of seizures in those suffering from epilepsy or other seizure disorders. CBD oil contains no THC, the active psychotropic ingredient that makes people high. It contains none.

Numerous families in my district have children with epilepsy, and they are out of options. They have tried all the FDA-approved drugs, and they sit and watch their children fade away. And that is their option. They can either do that, they can break the law, or they can move somewhere where they can get CBD. Some have had to move to States where it is legal. They have had to split their families apart to care for their children.

Mr. Chairman, 17 States—most recently, Texas, where the good chairman resides—have legalized CBD. These States have made the choice to help children with epilepsy and seizure disorders. Parents who want to treat their children should not be hindered by Federal prohibition.

With that, Mr. Chairman, I yield such time as he may consume to the gentleman from Illinois (Mr. DOLD), my good friend.

Mr. DOLD. Mr. Chairman, I want to thank my good friend from Pennsylvania.

Mr. Chairman, last week I had an opportunity to sit down with Sophie Weiss, an inspiring young girl from Illinois. Sophie in many ways she is a very normal girl who enjoys spending her days playing with her sisters, but she also suffers from a severe form of epilepsy
Mr. Chair, I came to Washington to fight for common sense, bipartisan reform that would improve the day-to-day lives of the people that I represent, and that is exactly what this amendment does. Quite simply, it ensures that States that already have legalized CBD oil can do so without Federal interference.

Helping these families is a reform that we should all be able to get behind. Regardless of political party, we can agree that the government’s role is not to prevent families from getting access to lifesaving treatment.

Mr. Chair, as a father looking at these children who suffer from thousands of seizures, who literally can’t live their lives nor normally, is something that we can and must change. This amendment hopes to thousands of individuals and their families, and I urge my colleagues to help children like Sophie in their districts by adopting this common sense amendment.

Mr. FLEMING. Mr. Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Louisiana is recognized for 5 minutes.

Mr. FLEMING. Mr. Chair, I yield myself 2 minutes.

Mr. Chair, some of the things that have been said about this are quite true. First of all, it is pronounced—I can’t even say it myself. We will say CBD oil for short.

It is not psychoactive, although it is an extract from the plant of marijuana. There have been anecdotal reports that it reduces seizures in kids who have severe seizure disorders, so-called Charlotte’s Web. It is actually on fast-track evaluation by the FDA both for safety and for effectiveness. Actually, the early reports are disappointing. Despite the anecdotal reports, they are not finding, thus far, the benefits that have been promised. Also, they are finding, in some cases, pretty severe side effects.

One of the things that hasn’t been discussed on this issue is, just as we don’t allow people or encourage people, at least, to eat mold in order to get penicillin as an antibiotic for disease, it doesn’t make any sense to give a raw plant as a medication. What we do in health care by using the scientific method is to extract the component, make sure we have a precise measurement, fully study it for safety and for efficaciousness, and then we prescribe it under the direction of a physician.

The CBD oil right now is not being produced. It is not in a pill or injectable form or even in a liquid form. It is sort of grown on the side, and people are sort of experimenting with it to see whether it works.

What I would say to my colleagues is let’s let this thing play out. Let the FDA finish its fast-track evaluation. If they find it is true and safe, let them put it in the proper measurement form. Let’s make sure we know what all the side effects are. As far as I am concerned, we would make it a non-scheduled drug.

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

Mr. PERRY. Mr. Chair, may I inquire as to how much time is remaining.

The Acting CHAIR. The gentleman from Pennsylvania has 1 minute remaining. The gentleman from Louisiana has 3 minutes remaining.

Mr. PERRY. Mr. Chair, I reserve the balance of my time.

Mr. FLEMING. Mr. Chair, I continue to reserve the balance of my time.

Mr. FATTAH. Mr. Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. Mr. Chair, I rise in support of the amendment offered by my colleague from Pennsylvania.

Again, I think this is a similar thrust to the previous discussion. I won’t prolong it. But we need to be exploring relief for families in which no other relief is available and for individuals in which no other relief is available. This provides an opportunity for potential relief. We should explore it.

Mr. Chair, I thank the gentleman for offering the amendment, and I yield back the balance of my time.

The Acting CHAIR. The gentleman from Pennsylvania has the right to close.

Mr. PERRY. Mr. Chair, I reserve the balance of my time.

Mr. FLEMING. Mr. Chair, what my colleagues are suggesting here is that we just go from someplace or something off the shelf and we give it to children, something that has not been a practice in probably 100 years.

We just don’t do it that way. That is why we spend millions, if not billions, of dollars of research to be sure that what we give the public is going to be healthy for them and safe for them.

You may recall a drug that was prescribed for pregnancy, nausea and pregnancy, which was approved back in Europe but not approved here, and we found out that babies were born without arms and legs as a result. Saving children in America—why? Because we waited to be sure that not only was it efficacious, but it was safe.

I would say to my colleagues, my heart is in the same place. I want to see treatment for children who may have severe seizure disorders. We have it on a fast track. We may be months away.

But I don’t think turning this over to parents and others who may fiddle with it and experiment with it, in essence, making our children guinea pigs, is the right way to go.

There are centers that are doing these studies, and certainly children can go and talk to those doctors, get on their studies, and get the trials. But I would again warn people that the preliminary results are not good, and in some cases we are seeing adverse side effects.

What I think we need to stay with the scientific method. We need to stay with the discipline that has made us the leader in the world when it comes to health care. We should not depart from something that has been proven right. I yield back the balance of my time.

Mr. PERRY. Mr. Chair, I yield 30 seconds to the gentleman from Georgia [Mr. AUSTIN SCOTT], my friend.

Mr. AUSTIN SCOTT of Georgia. Mr. Chair, I yield 30 seconds to the gentleman from Georgia [Mr. AUSTIN SCOTT].

Mr. AUSTIN SCOTT. Mr. Chair, I just want to thank Mr. PERRY for his work on this.

I have a friend in my district who has been on TV many times because they have to carry their child to Colorado for this treatment. And I have had extensive discussions not only with people in Georgia who need this treatment for their kids, but with the sheriffs of my district as well. I certainly wouldn’t support the cannabis oil and the use of cannabis oil and those type of things if my local sheriffs were not in favor of it.

You might be interested to know that the Georgia Sheriffs’ Association actually endorsed a piece of legislation a couple of years ago that would allow the use of cannabis oil for these children with seizures.

The Acting CHAIR. The time of the gentleman has expired.

Mr. PERRY. Mr. Chair, I yield myself some time.

Mr. Chair, some things have been said about the side effects of this. These are not the same side effects as with people who smoke marijuana. This is not smoking. This is an oil extract, usually given with the care of a doctor. It is not some weed grown along the road; it is actually classified in the therapeutic category because the plant has very scientific properties.

I understand and I respect the gentleman from Louisiana very much. When he says that he is concerned...
Mr. CULBerson. Mr. Chairman, I claim the time in opposition, although I am not opposed to the gentleman's amendment.

The Acting CHAIR. Without objection, the gentleman from Texas is recognized for 5 minutes.

Mr. CULBerson. Of course.

Mr. FAITTAH. Go right ahead.

Mr. CULBerson. Mr. Chairman, I do want to express my support for the gentleman's amendment. I think it is very important that we restrict this or any other President's ability to enter into agreements that would interfere with our rights as Americans, would interfere with the laws as enacted by Congress. And that is the intent of your amendment, to ensure that the laws enacted by Congress or by the legislatures of the several States reign supreme and no President can enter into any kind of an agreement. We are not going to subject ourselves to the law of the U.N. or any other agreements in here. So I strongly support the gentleman's agreement.

I would be happy to yield to the gentleman from Pennsylvania (Mr. FAITTAH).

Mr. FAITTAH. Mr. Chairman, I thank the chairman. And just as strongly as the chairman supports it, I oppose it. Even though I supported your last amendment, this one is headed in the wrong direction.

We have a need to deal with the challenges around our stewardship of the planet Earth and the questions around climate and working with our international neighbors.

I want to commend the administration for getting an agreement with China around some of these issues. It is necessary for our children and our grandchildren and great-grandchildren that we act as proper stewards. It is our obligation, at least in most of our religious teachings, that we have a responsibility to be good stewards.

So we can't ignore even for the point of profits. You mentioned how this might interfere with business interests. It is beyond the question of business interests. We need clean water, clean air, we need a climate that is capable of human habitation, at least until we can have Europa as a second exit opportunity. This is the only planet for human beings that we know of and we, therefore, have a responsibility.

And the President under our Constitution is the carrier of our international activities in terms of the conduct of foreign policy, not this President or some other President, but the President of the United States has that burden and that responsibility under our Constitution.

So I would hope that the House would vote this down. I know we won't. But I also know that there will be another day in which this legislation will have to be considered in a format in which it won't be just the House majority making these decisions.

And thank God for that, because even the House majority could be wrong every once in a while, as proven by this amendment.

Mr. CULBerson. I yield back the balance of my time.

Mr. PERRY. Mr. Chairman, I certainly respect the thoughts of my good colleague and good friend from Pennsylvania. I also want to remind him that we went through this last session. There was an amendment passed by vote. And while we do absolutely have the requirement and responsibility for the stewardship of the planet, I just want to remind everybody here, in case you don't know, we have these new ozone rules coming out, set to come out, or be codified in October. Yet from this administration's EPA, ozone levels have plummeted 33 percent since 1980. That is reported from the current administration's EPA. Let me just repeat that: ozone levels have plummeted 33 percent since 1980 because of the good work we have done. Yet in a downturn economy where the economy is actually contracted in the first quarter, we seek to force more unnecessary rules that are unvetted by this Congress, this people's House, on the businesses of America and also things like United Nations Agenda 21.

I just feel like those rules and those regulations should come at the vetting of this body instead of by the United Nations. What is good for America should be handled by Americans.

I thank the chairman for his support. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. PERRY).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GARRETT

Mr. GARRETT. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), add the following:

SEC. 100. None of the funds made available in this Act may be used to implement the United States Global Climate Research Program’s National Climate Assessment, the Intergovernmental Panel on Climate Change’s Fifth Assessment Report, the United Nation’s Agenda 21 sustainable development plan, or the May 2013 Technical Update of the Social Cost of Carbon for Regulatory Impact Analysis under Executive Order 12866.

Mr. PERRY (during the reading). Mr. Chairman, I ask unanimous consent to dispense with the reading.

The Acting CHAIR. Without objection, the amendment be considered as read.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. PERRY).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GARRETT

Mr. GARRETT. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. 100. None of the funds made available in this Act may be used by the Department of Justice to enforce the Fair Housing Act in a manner that relies upon an allegation of liability under section 100,500 of title 24, Code of Federal Regulations.

Mr. GARRETT (during the reading). Mr. Chair, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.
The Acting CHAIR. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 237, the gentleman from New Jersey and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. GARRETT. Mr. Chair, I yield myself 3 minutes.

I rise today to offer an amendment that stops the Justice Department from using one of the most dangerous and illogical theories of all time, the theory of disparate impact.

In short, disparate impact allows the government to allege discrimination on the basis of race or other factors based solely on statistical analyses that find disproportionate results among different groups of people.

In recent years, the Justice Department has increasingly used this dubious theory in lawsuits against mortgage lenders, insurers, and landlords and has forced these companies to pay multimillion-dollar settlements.

What is wrong with that, one might ask? Under disparate impact, one could never have intentionally discriminated in any way and even have strong antidiscriminatory policies in place and still be found to have discriminated.

For example, if mortgage lenders use a completely objective standard to assess credit risk, such as the debt-to-income ratio, they even still be found to have discriminated if the data show different loan approval rates for different groups of consumers.

To be clear, I have zero tolerance for discrimination in any form; and, if there is intentional discrimination, we must prosecute to the fullest extent of the law. The Justice Department’s use of disparate impact, however, tries to use the proper risk analysis to prevent discrimination.

On a more practical level, disparate impact will make it more difficult, if not impossible, for lenders to make rational economic decisions about risk. Lenders will feel pressured to weaken their standards to keep their lending statistics in line with what the Justice Department’s bureaucrats consider nondiscriminatory.

We have seen the damage risky lending can do to our economy. It is truly reckless for our government now to be encouraging those dangerous and shortsighted practices. Ironically, disparate impact forces lenders, insurers, and landlords to constantly take race, ethnicity, gender, and other factors into account or risk running afoul of the Justice Department.

Mr. Chairman, even an accusation of discrimination could have a devastating impact on a small business. Therefore, on balance, disparate impact will make it more difficult and expensive for families to buy a home, and it will result in more discrimination, not less.

For these reasons, both philosophical and practical, I ask my colleagues to reject this misguided theory by supporting this amendment.

I reserve the balance of my time.

Mr. FATTAH. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. Mr. Chairman, this is obviously an important signal from the majority to Americans of color, whether they be Asian Americans, African Americans, Hispanic Americans or Native Americans, that the one thing that they don’t want is to enforce the fair housing laws and that they don’t want to have a circumstance in which, even though the impact of a set of policies means that you are excluded, that somehow there should not be any redress for that.

We went through this debate last year. I am going to ask for a recorded vote on this as I think it is an important indication of the nature of inclusiveness that this country is America by the House majority.

I reserve the balance of my time.

Mr. GARRETT. Mr. Chair, I yield myself such time as I may consume.

I think it is an indication of something. It is an indication of whether this House is more concerned about actually filing true intentional discrimination or is just creating fear in this area by saying that we are going after discrimination based upon disparate impact.

It is about whether this House is more concerned about making things easier for all races, for all ethnicities, for all ethnic groups to be able to buy homes and to live and prosper and enjoy a new home or make it more difficult to be able to buy that first home.

Allowing the Justice Department to use disparate impact will do just that. It will make it more difficult for those individuals who now find it difficult to buy a home and not be able to use the proper risk analysis to make those decisions and, therefore, will be less likely to make those loans.

For those reasons and for the other philosophical and practical reasons I have already stated, I encourage my colleagues to support this amendment.

I yield back the balance of my time.

Mr. FATTAH. Mr. Chair, the gentleman said for practical and other philosophical reasons.

I guess, if you looked at Major League Baseball and if you didn’t see anybody of color, you could assume that there was a disparate impact until Jackie Robinson showed up, but American baseball is a lot better, and I think that our country is a lot stronger because of the diversity that exists.

I think the fair housing laws have played an important role in at least the idea that we think that you shouldn’t have a circumstance in which, no matter what the set of policies, if you are a different color or ethnic background, you shouldn’t apply.

I think it is something that we have rejected as a nation. I hope we reject this amendment, and I will seek a recorded vote on it.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. GARRETT).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. FATTAH. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Jersey will be postponed.

AMENDMENT OFFERED BY MR. MARINO

Mr. MARINO. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk reads as follows:

At the end of the bill (before the short title), insert the following:

Section 2. None of the funds made available by this Act may be used for the Department of Justice’s clemency initiative announced on April 23, 2014, or for Clemency Project 2014, or to transfer or temporarily assign employees to the Office of the Pardon Attorney for the purpose of screening clemency applications.

The Acting CHAIR. Pursuant to House Resolution 237, the gentleman from Pennsylvania and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. MARINO. Mr. Chairman, my amendment prohibits funds from this bill from being used to transfer or detail employees to the Office of the Pardon Attorney to support the administration’s so-called clemency project.

The President possesses the constitutional authority “to grant reprieves and pardons for offenses against the United States.” However, in the first 5 years of his administration, President Obama granted far fewer pardons and commutations than any of his recent predecessors.

Last year, the Deputy Attorney General took the unprecedented step of asking the defense bar for assistance in recruiting candidates for executive clemency, specifically for Federal drug offenders. The Justice Department intends to beef up its Office of the Pardon Attorney to process applications for commutations of sentence for Federal drug offenders.

The Justice Department is also accepting pro bono legal work from the ACLU and other defense attorney organizations for this initiative. This amendment would prohibit that.

The Constitution gives the President the pardon power, but the fact that the President has chosen to use that power solely on behalf of drug offenders shows that this is little more than a political ploy by the administration to bypass Congress.

This is not, as the Founders intended, an exercise of the power to provide for “exceptions in favor of unfortunate guilt,” but the use of the pardon...
power to benefit an entire class of offenders duly convicted in a court of law.

Mr. MARINO. I seek time in opposition to the amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. The executive branch, the President of the United States, has the responsibility to review applications for pardons and clemency, and this would interfere with the executive branch’s responsibility in that regard. I think that it would also hamper our ability to move this bill to a position of final passage and signature by the President, I am opposed to it.

I am glad the gentleman from Pennsylvania was able to have an opportunity to offer it and air his point of view, but I think when we have a President perhaps of a different party, there will be less enthusiasm for trying to unnecessarily interfere in the proper role of the executive, which clemencies and pardons are in the purview of the President; and detailing employees of the executive branch, for the Republican Party, which is for normally streamlining and making nimble and allowing managers to set priorities and to move personnel around, to suggest that they somehow now are against this, I assume there is some particular reason, and it couldn’t be anything other than on the merits I am certain.

I thank the gentleman, and I would stand in opposition to the amendment.

I reserve the balance of my time.

Mr. MARINO. How much time do I have remaining?

The Acting CHAIR. The gentleman from Pennsylvania has 3 minutes remaining, and the other gentleman from Pennsylvania has 3½ minutes remaining.

Mr. MARINO. Mr. Chairman, I would share with my good friend from Pennsylvania, no matter who is in the White House, Republican or Democrat, my enthusiasm is always at an all-time high, particularly when it comes to following the law.

The President does have the authority to pardon, but not to, as he has done here, zeroed in on a specific class of individuals who broke the law, and that is people who use drugs, sell drugs, made profits from drugs, and were duly found guilty and sentenced. This is just a way for this administration to bypass the drug laws that they don’t agree with.

This administration is known for that. If they don’t agree with something, they just try to bypass it, as they have done time and time again with Congress. But, fortunately, the United States Supreme Court has slapped this administration down numerous times because of bypassing Congress and making decisions that are not in its authority.

So let’s be realistic about this. This isn’t an issue of politics, from my perspective. I do say it is an issue of politics from the administration’s perspective.

I reserve the balance of my time.

Mr. FATTAH. Mr. Chairman, I yield to the gentleman from Texas (Mr. Culberson), the chairman, if he needs the time.

Mr. CULBERSON. I thank the gentleman from Pennsylvania.

Mr. Chairman, I do want to express my support for the gentleman’s amendment. I am concerned about the efforts of this White House to repeatedly ignore the laws enacted by Congress. If we didn’t have this track record from this President who has made a deliberate effort to evade the laws written by Congress and attempted to bypass them at every opportunity—the President has lost a record number of cases before the Supreme Court.

I believe, Mr. MARINO, the Supreme Court has ruled against this President unanimously on repeated occasions when the White House has attempted to avoid a statute and refused to enforce it, and Mr. MARINO brings to the table tonight experience as a prosecutor, very valid concerns about granting clemency to a whole category of people rather than as in the case of a pardon, which is on an individual basis.

I thank the gentleman for yielding me the time.

Mr. FATTAH. Reclaiming my time, we have, and it must be just inherent for politicians, selective amnesia. We kind of remember what we want to remember, and we forget what we want to forget.

Now, it has been uttered on the floor of the House that no President has done some broad swatch of clemencies. Well, the President Ford who offered and President Carter who implemented a clemency or amnesty for hundreds of thousands of people who had evaded the draft during the Vietnam war.

This has nothing to do with the implementation of the laws set by our Congress. This right to the Presidency of pardons and clemency is given in the Constitution. The point here is that it is just another effort, this consistent drumbeat about our President. This will not be the law at the end of the day when this bill is passed. I oppose it, and there is no President that is going to sign away their executive authority. It would diminish the power to the Presidency. And perhaps for the majority if they were to gain this Presidency again—and I am sure they will on some election—they wouldn’t want to diminish the power of the Presidency. I think it is just ill-fated and it is focused at a particular effort at this moment in time, to represent a historical fact that a President has not provided broad exemption or clemency or pardons in our past.

I yield back the balance of my time.

Mr. MARINO. How much time do I have remaining?

The Acting CHAIR. The gentleman from Pennsylvania has 1½ minutes remaining.

Mr. MARINO. I am sure in my remarks my colleague is not referring to any comment that I made that no other President has done something of this nature. I came to Congress in 2011. Really, my concern is what is happening with this administration, not past administrations. I am dwelling on the future and the rule of law.

It is very clear what this administration is doing when it comes to the rule of law or the lack of rule of law. Once again, this administration does not like the drug laws. It has a very difficult time with the criminal laws that are on the books.

I was a prosecutor for 18 years at the State level and the Federal level. I have seen what takes place concerning drugs. I have put people in prison for selling drugs; I have put people in prison for hurting people; I have sold drugs to; and I have taken the position where some people did not deserve to go to prison based on several factors. But the individuals that I sent to prison, and I think, overwhelmingly, according to the criteria that this administration has set, they are talking about individuals that have a sentence of 10 years or less, that is quite a sentence to pardon, because those individuals have been convicted, in my experience, for 5 and 6 and 10 years are major drug dealers.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. MARINO).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. AUSTIN SCOTT OF GEORGIA

Mr. AUSTIN SCOTT of Georgia. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk reads as follows:

At the end of the bill insert:

SEC. 1. None of the funds made available by this Act may be used by the National Oceanic and Atmospheric Administration to enforce:

1) Amendment 40 to the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico published in the Federal Register on April 22, 2015 or any other effort of the same substance, or

2) Red Snapper Management Measures published in the Federal Register on May 1, 2015 or any other effort of the same substance that establishes an 4 annual catch limits or annual catch targets for Red Snapper that would result in the commercial fishing for Red Snapper in the federal waters of the Gulf of Mexico lasting longer than five times the number of days recreational fishers are allowed to catch and retain at least two such fish each day in such federal waters.

Mr. AUSTIN SCOTT of Georgia (during the reading). Mr. Chair, I ask unanimous consent to dispense with the reading.

The Acting CHAIR. Is there objection to the request of the gentleman from Georgia?
There was no objection.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Georgia and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. AUSTIN SCOTT of Georgia. Mr. Chair, first I would like to thank the Parliamentarians for helping us work with this language. I would like to especially thank both the majority and the minority staff for giving me the courtesy of presenting this. I know it is late, and we certainly hoped to close by 2 a.m.

It is the third day of what has been designated as the 10-day red snapper season for a man or woman who simply wants to take their child fishing in the Gulf of Mexico.

The commercial fishermen get to fish 365 days a year. The charter boat anglers get to fish 45 days a year.

What this amendment does is it says that the National Fisheries Service cannot take a rule that was adopted that is, quite honestly, probably going to court. And then it says that as they go forward and they pass the rules in the future, the recreational fishermen should receive at least 20 percent of the number of days as the commercial fisherman does with regard to the red snapper in the Gulf of Mexico.

That is effectively what it does. It still allows them to set the seasons. It does have some restriction in that they just cannot take from the recreational fishermen. They have to give the recreational not-for-hire and for-hire 20 percent of the number of calendar days that they give the commercial fishermen to fish for red snapper in the Gulf of Mexico.

With that, Mr. Chairman, I reserve the balance of my time.

Mr. FAITHAH. Mr. Chairman, I rise in opposition.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FAITHAH. I yield to the gentleman from Georgia because I need to ask a question about this.

You say that the commercial catch limits for fishing days are 360 days a year? And I yield to the gentleman.

Mr. AUSTIN SCOTT of Georgia. Yes, sir. They can fish year-round for red snapper. It is different for different species. This is tailored specifically to this species.

Mr. FAITHAH. Reclaiming my time, we are talking red snapper, right? I yield to the gentleman.

Mr. AUSTIN SCOTT of Georgia. Yes, sir.

Mr. FAITHAH. But for the recreational fisherman, taking your sons out to fish for the day, there is a limit of 10 days?

Mr. AUSTIN SCOTT of Georgia. Yes, sir. This is the third day of the 10-day season for the Federal waters for the recreational fishermen in the Gulf of Mexico.

Mr. FAITHAH. Reclaiming my time, in spirit, I support this. I don’t know what the unintended consequences are. So I would be prepared to accept it, as long as we can dig into it and make sure there are no unintended circumstances.

I know this is a very parochial matter. I think you should be able to take your kid out fishing. I don’t think that profit is the only motivator in the world, I don’t know why it would be so arbitrary, or a cut line.

At this point I would like to work with the chairman on this. I would be prepared to accept it at this time. If we find some major problem with it, we will jump up and down about it then.

Mr. CULBERSON. Will the gentleman yield?

Mr. FAITHAH. I yield to the gentleman from Texas.

Mr. CULBERSON. I completely agree, and I join my ranking member in accepting this amendment and working with you. If there is something we didn’t spot or anticipate, we will work it out. But I think the gentleman has got a good amendment, and I would agree, I would recommend we would accept it.

Mr. AUSTIN SCOTT of Georgia. Mr. Chairman, I would like to say that as a dad, honestly, I would like to say thank you for doing this. And certainly, if there are unintended consequences, I would look forward to working with you to resolve those unintended consequences.

Again, as a father of a son named Wells and a daughter named Carmen and a lovely wife named Vivien, I just want to say thank you.

Mr. FAITHAH. My wife is a fly fisher. We are not doing red snapper. But I understand the spirit of it, and we will take it at that, and I yield back the balance of my time.

Mr. AUSTIN SCOTT of Georgia. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. AUSTIN SCOTT).

The amendment was agreed to.

Mr. CULBERSON. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. AUSTIN SCOTT).

The amendment was agreed to.

Mr. CULBERSON. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. AUSTIN SCOTT).

The amendment was agreed to.

Mr. CULBERSON. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

The Acting CHAIR. Pursuant to unanimous consent, leave of absence was granted to:

Mr. HUDSON (at the request of Mr. McCARTHY) for today until 6:45 p.m. on account of attending a funeral.

Mr. HUDSON. Mr. Chair, I believe that the gentleman from Texas (Mr. FAITHAH) has a point there.

Mr. FAITHAH. My wife is the fly fisher.

Mr. HUDSON. And I believe that the gentleman from Georgia (Mr. AUSTIN SCOTT) has a point that we want to have 360 days for the recreational fisherman.

The Acting CHAIR. Pursuant to unanimous consent, the leave of absence was granted to: Mr. HUDSON (at the request of Mr. McCARTHY) for today until 6:45 p.m. on account of attending a funeral.

Mr. HUDSON. Mr. Chair, I believe that the gentleman from Texas (Mr. FAITHAH) has a point there.

Mr. FAITHAH. My wife is the fly fisher.

Mr. HUDSON. And I believe that the gentleman from Georgia (Mr. AUSTIN SCOTT) has a point that we want to have 360 days for the recreational fisherman.

Mr. FAITHAH. I yield to the gentleman from Texas.

Mr. CULBERSON. Mr. Chairman, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o’clock and 5 minutes a.m.), under its previous order, the House adjourned until today, June 3, 2015, 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:

1672. A letter from the Acting Director, Defense Procurement and Acquisition Policy, OSD (AT&T&D) DPAP/DARS, Department of Defense, transmitting the Department’s interim rule — Defense Federal Acquisition Regulation Supplement: Offset Costs (DFARS Case 2015-D028) (RIN: 0705-A191) received June 1, 2015, pursuant to 5 U.S.C. § 301(b); to the Committee on Armed Services.

1673. A letter from the Board of Governors of the Federal Reserve System, transmitting the twenty-fifth "Report to the Congress on the Profitability of Credit Card Operations of Depository Institutions!", pursuant to Sec. 8 of the Fair Credit and Charge Card Disclosure Act of 1988, to the Committee on Financial Services.

1674. A letter from the Chairman and President, Export-Import Bank, transmitting a statement, pursuant to Sec. 2(b)(3) of the Export-Import Bank Act of 1945, as amended, on a transaction involving Emirates Airlines of Dubai, United Arab Emirates; to the Committee on Financial Services.

1675. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the “2014 Annual Report to the Congress on the Native Hawaiian Revolving Loan Fund”, pursuant to Sec. 806A of the Native American Programs Act of 1974, as amended; to the Committee on Education and the Workforce.

1676. A letter from the General Counsel, Pension Benefit Guaranty Corporation, transmitting the Corporation’s final rule “Benefits Payable in Group-Employer Plans; Interest Assumptions for Paying Benefits received June 1, 2015, pursuant
to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1677. A letter from the Deputy Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting the Commission’s final rule — Local Number Portability Porting Interval and Validation Requirements, Telephone Number Portability, andadora Resource Optimization (WC Docket Nos.: 07-244) [CC Docket No.: 95-116] [CC Docket No.: 99-200] received June 1, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.


1679. A letter from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting the Department’s final rule — Updated Statements of Legal Authority for the Export Administration Regulations (Docket Nos.: BIS-2014-0001) (RIN: 0671-AG62) received June 1, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

1680. A letter from the Assistant Secretary, for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting the Department’s final rule — Russian Divisions and Clarifications for Licensing Policy for the Crimea Region of Ukraine [Docket No.: 150511438-5438-01] (RIN: 0671-AG64) received June 1, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

1681. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification pursuant to Sec. 5(b) of the Inspector General’s Semiannual Report to Congress for the period of October 1, 2014, through March 31, 2015, pursuant to Sec. 5(b) of the Inspector General Act of 1978, as amended (Pub. L. 95-452); to the Committee on Oversight and Government Reform.


1685. A letter from the Secretary, Department of Agriculture, transmitting the Inspector General’s Semiannual Report to Congress covering the 6-month period that ended March 31, 2015, pursuant to Sec. 5 of the Inspector General Act of 1978, as amended, Pub. L. 95-452; to the Committee on Oversight and Government Reform.

1686. A letter from the Inspector General, Department of Health and Human Services, transmitting the Inspector General’s final report, entitled “U.S. Department of Health and Human Services Met Many Requirements of the Health Information Technology for Economic and Clinical Health Act of 2009 but Did Not Fully Comply for Fiscal Year 2014”, pursuant to the Improper Pay-
June 2, 2015

CONGRESSIONAL RECORD — HOUSE

H3757

MECKS, Ms. MING, Mr. NADLER, Mr. RANGEL, Mr. SERRANO, Ms. SLAUGHTER, Mr. TONKO, Mrs. CAROLYN B. MALONEY of New York, and Ms. VELILE, Ms. DUCKWORTH, Ms. LEE, Mr. LIPINSKI, Mr. RYAN of Ohio, Ms. ESTY, and Ms. KUSTER): H.R. 2607. A bill to designate the facility of the United States Postal Service located at 7823 37th Avenue in Jackson Heights, New York, as and Judge Julius A. Wainwright Post Office Building; to the Committee on Oversight and Government Reform.

By Ms. DELAURIE (for herself, Mr. CARSON of Colorado, Mr. WELCH, Ms. DEUCKWORTH, Ms. LEE, Mr. LIPINSKI, Mr. RYAN of Ohio, Ms. ESTY, and Ms. KUSTER): H.R. 2608. A bill to amend the Internal Revenue Code of 1986 to allow manufacturing businesses to establish tax-free manufacturing reinvestment accounts to assist them in providing employee and facilities and workforce training; to the Committee on Ways and Means.

By Mr. SAM JOHNSON of Texas (for himself and Mrs. HARTZLER): H.R. 2609. A bill to amend title 23, United States Code, to repeal the transportation alternatives program, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. KATKO (for himself, Mr. CUMMINGS, Mr. GIBSON, Mr. HUDY of Tennessee, Mr. OLIVIERI of New York, Mr. BUCK, Ms. GRAHAM, Ms. BROOKS of Indiana, and Ms. MCSALLY): H.R. 2610. A bill to require the Secretary of the Treasury to request Federal reserve notes so as to include a likeness of Harriet Tubman, and for other purposes; to the Committee on Financial Services.

By Mrs. LUMMIS: H.R. 2611. A bill to amend the Arms Export Control Act to provide that certain firearms listed in schedules may be imported into the United States by a licensed importer without obtaining authorization from the Department of State or the Department of Defense, and for other purposes; 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 Mrs. CAROLYN B. MALONEY of New York (for herself, Mr. MCDERMOTT, Mr. GRIJALVA, Mr. VAN HOLLLEN, Ms. NORTON, Ms. CLARK of Massachusetts, Mr. LYNCH, Ms. TSONG of California, Ms. GELNICK of Minnesota, Ms. ESTY, Mr. BLUMENAUER, Mr. RANGEL, Mr. NADLER, and Mr. CUMMINGS): H.R. 2612. A bill to authorize the appropriation of funds to the Centers for Disease Control and Prevention for conducting or supporting research on firearms safety or gun violence prevention; to the Committee on Energy and Commerce.

By Mrs. CAROLYN B. MALONEY of New York (for herself, Mr. MCDERMOTT, Mr. GRIJALVA, Mr. VAN HOLLLEN, Ms. NORTON, Ms. CLARK of Massachusetts, Mr. LYNCH, Ms. TSONG of California, Ms. GELNICK of Minnesota, Ms. ESTY, Mr. BLUMENAUER, Mr. RANGEL, Mr. NADLER, and Mr. CUMMINGS): H.R. 2613. A bill to authorize the appropriation of funds to the Centers for Disease Control and Prevention for conducting or supporting research on firearms safety or gun violence prevention; to the Committee on Energy and Commerce.

By Mr. MCDERMOTT: H.R. 2614. A bill to amend title XVIII of the Social Security Act to authorize the Secretary to provide for an expert advisory panel regarding relative value scale process used under the Medicare physician fee schedule, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. PLASKETT: H.R. 2615. A bill to establish the Virgin Islands of the United States Centennial Commission; to the Committee on Oversight and Government Reform.

By Mr. QUILLEY (for himself, Ms. NORTON, Mr. GUTIERREZ, Mr. HUFFMAN, Mr. POLIS, and Mr. PAYNE): H.R. 2616. A bill to direct the Administrator of the Federal Emergency Management Agency to enter into an agreement with the National Academy of Sciences to conduct a study on urban flooding, and for other purposes; to the Committee on Transportation and Infrastructure, 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 Mrs. RADEWAGEN: H.R. 2617. A bill to amend the Fair Minimum Wage Act of 2007 to postpone a scheduled increase in the minimum wage applicable to American Samoa; to the Committee on Transportation and Infrastructure, 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. BUCK: H.R. 2618. A bill to amend the Employee Polygraph Protection Act of 1988 to provide an exemption from the protections of that Act with regard to certain prospective employers whose job would include caring for or interacting with children; to the Committee on Education and the Workforce.

By Mr. ROSS: H.R. 2619. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit to Patriot employers, and for other purposes; to the Committee on Ways and Means.

By Mr. DAVID SCOTT of Georgia (for himself, Mr. AUSTIN SCOTT of Georgia, Mr. WESTMORELAND, and Mr. BISHOP of Georgia): H.R. 2620. A bill to amend the United States Cotton Futures Act to exclude certain cotton futures contracts for coverage under such Act; to the Committee on Agriculture.

By Mr. SMITH of New Jersey (for himself and Mr. GOLDFIELD): H.R. 2621. A bill to impose sanctions against individuals who are nationals of the People's Republic of China who are responsible for gross violations of internationally recognized human rights committed against other individuals in the People's Republic of China, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, 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. TONKO: H.R. 2622. A bill to direct the Secretary of Veterans Affairs to establish a registry of certain veterans who were stationed at Fort McClellan, Alabama, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. LOWENTHAL (for himself, Mr. THOMPSON of California, Ms. ESTY, and Mrs. CAPPO): H.R. 2623. A resolution expressing the sense of the House of Representatives that gun violence is a public health issue and Congress should enact by the end of the 114th Congress legislation that protects the Second Amendment and keeps communities safe and healthy, including expanding enforceable background checks for all commercial gun sales, improving the mental health system in the United States, and making gun trafficking and straw purchasing a Federal crime; to the Committee on the Judiciary, 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. PITTS (for himself and Ms. JACKSON-LEE): H.R. 2624. A resolution calling for the global repeal of blasphemy laws; to the Committee on Foreign Affairs.

By Ms. PLASKETT: H.R. 2625. A resolution expressing the sense of the House of Representatives that the United States Postal Service should issue a commemorative stamp commemorating the 100th Anniversary of the purchase of the territories known as the Virgin Islands of the United States; to the Committee on Oversight and Government Reform.

MEMORIALS

Under clause 3 of Rule XII, memorials were presented and referred as follows:

36. The SPEAKER presented a memorial of the Legislature of the State of Arizona, relative to Senate Concurrent Resolution No. 1026, denouncing Israel's illegal and mutually beneficial relationship with the United States; to the Committee on Foreign Affairs.

37. Also, a memorial of the Legislature of the State of Arizona, relative to Senate Concurrent Memorial No. 2005, urging the United States Government to immediately and not later than December 31, 2019 dispose of the public lands within Arizona's borders directly to the State of Arizona; to the Committee on Natural Resources.

38. Also, a memorial of the Legislature of the State of Arizona, relative to Senate Concurrent Memorial No. 1001, urging the Congress to oppose the designation of the Grand Canyon Watershed National Monument in Northern Arizona; to the Committee on Natural Resources.

39. Also, a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 9, urging the President to allow an additional 23,000 refugee visas for displaced Iraqis, with preference for placement in Michigan; to the Committee on the Judiciary.

40. Also, a memorial of the Legislature of the State of Arizona, relative to Senate Concurrent Memorial 1002, urging the Congress to enact legislation that confirms that state law determines the entire scope of R.S. 2477 Right-of-Way; to the Committee on Transportation and Infrastructure.

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 Ms. CLARK of Massachusetts: H.R. 2602. Congress has the power to enact this legislation pursuant to the following:

By Mr. BARR: H.R. 2603.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: “To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.”

H.R. 2616.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 (“To make all laws which shall be necessary and proper for carrying into execution the foregoing powers.”)

By Mr. SMITH of Texas:

H.R. 2622.

H.R. 2620.

By Mr. RUSSELL of Georgia:

H.R. 2621.

H.R. 2619.

H.R. 2618.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 (“The Congress shall have the power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common defense and general welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.”)

By Mr. SMITH of New Jersey:

H.R. 2621.

H.R. 2620.

H.R. 2619.

H.R. 2618.

H.R. 2617.

H.R. 2616.

H.R. 2615.

H.R. 2614.

H.R. 2613.

H.R. 2612.

H.R. 2611.

H.R. 2610.

H.R. 2609.

H.R. 2608.

H.R. 2607.

H.R. 2606.

H.R. 2605.

H.R. 2604.

H.R. 2603.

H.R. 2602.

H.R. 2601.

H.R. 2600.

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H.R. 2488.

H.R. 2487.

H.R. 2486.

H.R. 2485.

H.R. 2484.

H.R. 2483.

H.R. 2482.

H.R. 2481.

H.R. 2480.

H.R. 2479.

H.R. 2478.

H.R. 2477.

H.R. 2476.

H.R. 2475.

H.R. 2474.

H.R. 2473.

H.R. 2472.

H.R. 2471.

H.R. 2470.

H.R. 2469.

H.R. 2468.

H.R. 2467.

H.R. 2466.

H.R. 2465.

H.R. 2464.

H.R. 2463.

H.R. 2462.

H.R. 2461.

H.R. 2460.

H.R. 2459.

H.R. 2458.

H.R. 2457.

H.R. 2456.

H.R. 2455.

H.R. 2454.

H.R. 2453.

H.R. 2452.

H.R. 2451.

H.R. 2450.

H.R. 2449.

H.R. 2448.

H.R. 2447.

H.R. 2446.

H.R. 2445.

H.R. 2444.
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:

The amendment to be offered by Representative Conaway, or a designee, to H.R. 2289, the Commodity End-User Relief Act does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:


PETITIONS, ETC.

Under clause 3 of rule XII.

11. The SPEAKER presented a petition of the Board of Chosen Freeholders, County of Cape May, New Jersey, relative to Resolution 381-15, urging the President to recognize the plight of American citizens currently unjustly imprisoned and facing death in Iranian governmental custody; which was referred to the Committee on Foreign Affairs.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2577

OFFERED BY: Mr. Brooks of Alabama

AMENDMENT No. 1: Page 45, line 15, after the dollar amount, insert “(reduced by $285,500,000)”. Page 47, line 11, after the dollar amount, insert “(reduced by $888,800,000)”.

Page 47, line 15, after the dollar amount, insert “(reduced to $0)”. Page 47, line 19, after the dollar amount, insert “(reduced to $0)”. Page 47, line 23, after the dollar amount, insert “(reduced to $0)”. Page 48, line 23, after the dollar amount, insert “(reduced to $0)”. Page 156, line 15, after the dollar amount, insert “(increased by $978,300,000)”. H.R. 2577

OFFERED BY: Mr. Brooks of Alabama

AMENDMENT No. 2: Page 45, line 15, after the dollar amount, insert “(reduced by $285,500,000)”. Page 156, line 15, after the dollar amount, insert “(increased by $978,300,000)”.

H.R. 2577

OFFERED BY: Mr. Brooks of Alabama

AMENDMENT No. 3: At the end of the bill (before the short title), insert the following:

SEC. ___. None of the funds made available by this Act may be used for the DNA analysis and capacity enhancement program and

for other local, State, and Federal forensic activities for which funds are made available under this Act as part of the $125,000,000 for DNA-related and forensic programs and activities, unless such funds are used in accordance with paragraphs (3) and (4) of section (2)(c) of the DNA Analysis Backlog Elimination Act of 2000 (Public Law 106-546; 42 U.S.C. 14135).

H.R. 2577

OFFERED BY: Mr. Poe of Texas

AMENDMENT No. 14: At the end of the bill (before the short title), insert the following:

SEC. ___. None of the funds made available by this Act may be used to enforce section 221 of title 13, United States Code, with respect to the survey, conducted by the Secretary of Commerce, commonly referred to as the “American Community Survey”.

H.R. 2578

OFFERED BY: Mr. Poe of Texas

AMENDMENT No. 17: At the end of the bill (before the short title), insert the following:

SEC. ___. (a) Except as provided by subsection (b), none of the funds made available by this Act for the Department of Justice or the Federal Bureau of Investigation may be used to mandate or request that a person (as defined in section 101(f) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801(f)) of any user of such product or service.

(b) Subsection (a) shall not apply with respect to mandates or requests authorized under the Communications Assistance for Law Enforcement Act (47 U.S.C. 1001 et seq.).

H.R. 2578

OFFERED BY: Mr. Poe of Texas

AMENDMENT No. 19: Page 3, line 10, after the dollar amount, insert “(reduced by $311,788,000)”. Page 98, line 20, after the dollar amount, insert “(increased by $311,788,000)”.

H.R. 2578

OFFERED BY: Mr. McClintock

AMENDMENT No. 20: Page 4 line 21, after the dollar amount, insert “(reduced by $41,000,000)”. Page 6 line 9, after the dollar amount, insert “(reduced by $2,000,000)”. Page 15 line 16, after the dollar amount, insert “(reduced by $5,789,000)”. Page 15 line 19, after the dollar amount, insert “(reduced by $5,789,000)”. Page 24 line 5, after the first dollar amount, insert “(reduced by $75,719,000)”.

Page 24 line 14, after the first dollar amount, insert “(reduced by $55,000,000)”. Page 26 line 19, after the dollar amount, insert “(reduced by $35,000,000)”. Page 28, line 22, after the dollar amount, insert “(reduced by $75,000,000)”. Page 29, line 14, after the dollar amount, insert “(reduced by $25,000,000)”. Page 30, line 21, after the dollar amount, insert “(reduced by $2,000,000)”.
Page 98, line 20, after the dollar amount, insert ''(increased by $147,000,000)''.

Page 66, line 20, after the dollar amount, insert ''(reduced by $500,000)''.

Page 41, line 18, after the dollar amount, insert ''(reduced by $5,000,000)''.

Page 41, line 19, after the dollar amount, insert ''(reduced by $124,000,000)''.

Page 40, line 5, after the dollar amount, insert ''(increased by $1,398,212,000)''.

Page 40, line 6, after the dollar amount, insert ''(reduced by $13,800,000)''.

Page 39, line 11, after the dollar amount, insert ''(reduced by $2,000,000)''.

Page 38, line 9, after the dollar amount, insert ''(increased by $500,000)''.

Page 37, line 4, after the dollar amount, insert ''(reduced by $136,500,000)''.

Page 32, line 5, after the dollar amount, insert ''(reduced by $5,000,000)''.

Page 31, line 20, after the first dollar amount, insert ''(increased by $2,000,000)''.

Page 30, line 19, after the dollar amount, insert ''(reduced by $136,500,000)''.

Page 30, line 20, after the dollar amount, insert ''(increased by $33,000,000)''.

Page 29, line 18, after the dollar amount, insert ''(reduced by $29,000,000)''.

Page 29, line 9, after the dollar amount, insert ''(reduced by $5,000,000)''.

Page 28, line 12, after the dollar amount, insert ''(reduced by $5,000,000)''.

Page 27, line 15, after the dollar amount, insert ''(reduced by $5,000,000)''.

Page 26, line 8, after the dollar amount, insert ''(reduced by $136,500,000)''.

Page 25, line 19, after the dollar amount, insert ''(reduced by $111,199,000)''.

Page 25, line 5, after the first dollar amount, insert ''(reduced by $40,625,000)''.

Page 24, line 19, after the dollar amount, insert ''(reduced by $500,000)''.

Page 24, line 18, after the dollar amount, insert ''(reduced by $1,000,000)''.

Page 23, line 19, after the dollar amount, insert ''(reduced by $1,000,000)''.

Page 23, line 18, after the dollar amount, insert ''(reduced by $35,000,000)''.

Page 22, line 14, after the dollar amount, insert ''(reduced by $33,000,000)''.

Page 21, line 16, after the dollar amount, insert ''(reduced by $1,000,000)''.

Page 20, line 14, after the dollar amount, insert ''(reduced by $9,000,000)''.

Page 20, line 5, after the dollar amount, insert ''(reduced by $4,000,000)''.

Page 19, line 19, after the dollar amount, insert ''(reduced by $33,000,000)''.

Page 19, line 18, after the dollar amount, insert ''(reduced by $300,000)''.

Page 18, line 12, after the dollar amount, insert ''(reduced by $2,400,000)''.

Page 17, line 12, after the dollar amount, insert ''(reduced by $2,000,000)''.

Page 17, line 10, after the dollar amount, insert ''(reduced by $1,000,000)''.

Page 16, line 9, after the dollar amount, insert ''(reduced by $1,000,000)''.

Page 16, line 8, after the dollar amount, insert ''(reduced by $1,000,000)''.

Page 16, line 12, after the dollar amount, insert ''(reduced by $100,650,000)''.

Page 15, line 17, after the dollar amount, insert ''(reduced by $2,000,000)''.

Page 15, line 16, after the dollar amount, insert ''(reduced by $500,000)''.

Page 14, line 24, after the dollar amount, insert ''(reduced by $500,000)''.

Page 14, line 18, after the dollar amount, insert ''(reduced by $2,000,000)''.

Page 13, line 9, after the dollar amount, insert ''(reduced by $136,500,000)''.

Page 12, line 19, after the dollar amount, insert ''(reduced by $136,500,000)''.

Page 12, line 18, after the dollar amount, insert ''(reduced by $136,500,000)''.

Page 12, line 17, after the dollar amount, insert ''(reduced by $136,500,000)''.

Page 12, line 16, after the dollar amount, insert ''(reduced by $136,500,000)''.

Page 12, line 15, after the dollar amount, insert ''(reduced by $136,500,000)''.

Page 11, line 19, after the dollar amount, insert ''(reduced by $136,500,000)''.

Page 11, line 18, after the dollar amount, insert ''(reduced by $136,500,000)''.

Page 11, line 17, after the dollar amount, insert ''(reduced by $136,500,000)''.

Page 11, line 16, after the dollar amount, insert ''(reduced by $136,500,000)''.

Page 10, line 19, after the dollar amount, insert ''(reduced by $136,500,000)''.

Page 10, line 18, after the dollar amount, insert ''(reduced by $136,500,000)''.

Page 10, line 17, after the dollar amount, insert ''(reduced by $136,500,000)''.

Page 10, line 16, after the dollar amount, insert ''(reduced by $136,500,000)''.

Page 10, line 15, after the dollar amount, insert ''(reduced by $136,500,000)''.

Page 10, line 14, after the dollar amount, insert ''(reduced by $136,500,000)''.

Page 10, line 13, after the dollar amount, insert ''(reduced by $136,500,000)''.

Page 10, line 12, after the dollar amount, insert ''(reduced by $136,500,000)''.

Page 10, line 11, after the dollar amount, insert ''(reduced by $136,500,000)''.

Page 10, line 10, after the dollar amount, insert ''(reduced by $136,500,000)''.

Page 9, line 19, after the dollar amount, insert ''(reduced by $136,500,000)''.
Page 70, line 7, after the dollar amount, insert "(increased by $400,000)".

H.R. 2578
Offered By: Ms. JACKSON LEE

Amendment No. 36: Page 12, line 9, after the dollar amount, insert "(decreased by $2,000,000)".

Page 72, line 7, after the first dollar amount, insert "(increased by $2,000,000)".

H.R. 2578
Offered By: Ms. JACKSON LEE

Amendment No. 37: Page 34, line 19, after the dollar amount, insert "(reduced by $104,000,000)".

Page 61, lines 10 and 12, after the dollar amount, insert "(increased by $104,000,000)".

H.R. 2578
Offered By: Mr. GRAYSON

Amendment No. 40:

SEC. ___. None of the funds made available by this Act may be used to negotiate or enter into a trade agreement whose negotiating texts are confidential. The limitation described in this section shall not apply in the case of the administration of a tax or tariff.

H.R. 2578
Offered By: Mr. GRAYSON

Amendment No. 41:

SEC. ___. None of the funds made available by this Act may be used to negotiate or enter into a trade agreement that contains an investor-state dispute settlement provision. The limitation described in this section shall not apply in the case of the administration of a tax or tariff.
The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. HATCH).

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 (Ms. C OLLINS). The majority leader is recognized.

NATIONAL SECURITY LEGISLATION

Mr. MCCONNELL. Madam President, I wish we had been able to move the cloture and amendment votes we will consider today to yesterday. I made an offer to do so because it is hard to see the point in allowing yet another day to elapse when everyone has already had a chance to say their piece, when the end game appears obvious to all, and when the need to move forward in a thoughtful but expeditious manner seems quite clear. But this is the Senate, and Members are entitled to different views and Members have tools to assert those views. It is the nature of the body where we work.

Moreover, it is important to remember that it was not just the denial of consent which brought us to where we are. The kind of short-term extension that would have provided the Senate with the time and space it needed to advance bipartisan compromise legislation through regular order was also blocked in a floor vote.

But what has happened has happened, and we are where we are. Now is the time to put all that in the past and work together to diligently make some discrete and sensible improvements to the House bill.

Before scrapping an effective system that has helped protect us from attack in favor of an untried one, we should at least work toward securing some modest degree of assurance that the new system can, in fact, actually work. The Obama administration also already told us that it would not be able to make any firm guarantees in that regard—that it would work—at least the way the bill currently reads. And the way the bill currently reads, there is also no requirement—no requirement—for the retention and availability of significant data for analysis. These are not small problems.

The legislation we are considering proposes major changes to some of our Nation’s most fundamental and necessary counterterrorism tools. That is why the revelations from the administration shocked many Senators, including a lot of supporters of this legislation. It is simply astounding that the very government officials charged with implementing the bill would tell us, both in person and in writing, that if it turns out this new system doesn’t work, then they will just come back to us and let us know. If it doesn’t work, they will just come back and let us know. This is worrying for many reasons, not the least of which is that we don’t want to find out the system doesn’t work in a far more tragic way. That is why we need to do what we can today to ensure that this legislation is as strong as it can be under the circumstances.

Here are the kinds of amendments I hope every Senator will join me in supporting today.

One amendment would allow for more time for the construction and testing of a system that does not yet exist. Again, one amendment would allow for more time for the construction and testing of a system that does not yet exist.

Another amendment would ensure that the Director of National Intelligence is charged with at least reviewing and certifying the readiness of the system.

Another amendment would require simple notification if telephone providers—the entities charged with holding data under this bill—elect to change their data-retention policies. Let me remind my colleagues that one provider has already said expressly and in writing that it would not commit to holding the data for any period of time under the House-passed bill unless compelled by law. So this amendment represents the least we can do to ensure we will be able to know, especially in an emergency, whether the dots we need to connect have actually been wiped away.

We will also consider an amendment that would address concerns we have heard from the nonpartisan Administrative Office of the U.S. Courts—in other words, the lifetime Federal judges who actually serve on the FISA Court. In a recent letter, they wrote that the proposed amicus provision ‘could impede the FISA Courts’ role in
I ask unanimous consent that the full text of that letter be printed in the RECORD at the conclusion of my remarks.

So the bottom line is this: The basic fixes we have just mentioned are common sense. Anyone who wants to see the system envisioned under this bill actually work will want to support them. And anyone who has heard the administration’s “we will get back to you there’s a problem” promise should support these modest safeguards as well.

We may have been delayed getting to the point at which we have arrived, but now that we are here, let’s work cooperatively, seriously, and expeditiously to move the best legislation possible and prevent any more delay and uncertainty.

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


Hon. Devin Nunes, Chairman, Permanent Select Committee on Intelligence, House of Representatives, Washington, DC.

Dear Mr. Chairman: I write regarding H.R. 2048, the “USA Freedom Act,” which was recently reported upon by the Judiciary Committee, to provide perspectives on the legislation, particularly an assessment that the pending version of the bill could impede the effective protection of privacy and civil liberties. In letters to the Committee on January 13, 2014 and May 13, 2014, we commented on various proposed changes to the Foreign Intelligence Surveillance Act (FISA). Our comments focused on the operational impact of certain proposed changes on the Judicial Branch, particularly the Foreign Intelligence Surveillance Court of Review (FISC) and the Foreign Intelligence Surveillance Court (FISC). At times, the FISC Courts are presented with challenging issues regarding how existing law applies to novel technologies. In keeping with the committee’s interest in the role of the FISA Courts which could, in our assessment, impair the courts’ ability to protect civil liberties, we respectfully request that, if possible, this letter be included with your Committee’s report to the House on the bill.

Summary of Concerns

We have three main concerns. First, H.R. 2048 provides a “panel of experts” approach for the FISA Courts which could, in our assessment, impair the courts’ ability to protect civil liberties by impeding their receipt of complete and accurate information from the government in certain cases involving a “novel or significant interpretation of law” (emphasis added)—unless the bill “summaries” of court opinions that are not limited to, cases involving non-compliance with an order. The lack of a non-governmental perspective on novel legal issues or technological developments. To be sure, we would welcome any amendment that would generally be completely impractical.

At times, the FISA Courts are presented with challenging issues regarding how existing law applies to novel technologies. In these instances, the FISA Courts could benefit from a conveniently available explanation or evaluation of the technology from an informed non-governmental source. Congress could assist in this regard by clarifying the law to provide mechanisms for this to occur. This could include publications of non-governmental experts and receive information to the extent authorized by the provisions of H.R. 2048 that bear directly on the work of the FISA Courts and how that work is presented to the public. We sincerely appreciate the ongoing efforts of the bipartisan leadership of all the congressional committees of jurisdiction to listen to and attempt to accommodate our perspectives and concerns.

We respectfully request that, if possible, this letter be included with your Committee’s report to the House on the bill.

Nature of the FISA Courts

With the advent of a new Congress and newly proposed legislation, it seems helpful to restate briefly some key attributes of the work of the FISA Courts.

The vast majority of the work of the FISC involves individual applications in which experienced judges apply well-established law to a set of circumstances—a government—not dissimilar to the ex parte consideration of ordinary criminal search warrant applications. Review of these proceedings is by the FISC—a relatively small part of the docket, and applications involving bulk collection are relatively small.

In all matters, the FISA Courts currently depend on—and will always depend on—a prompt and complete canard from the government in providing the courts with all relevant information because the government is typically the only source of such information. A “read copy” practice—similar to the practices employed in some federal district courts for Title III wiretap applications—wherein the government provides the FISC with an advance copy of an application, is the major avenue for court modification of government-sought surveillance. About a quarter of “read copies” are modified or withheld of the FISC before the government presents a final application—in contrast to the overwhelming majority of formal applications that are approved by the Court because of modifications at the “read copy” stage have addressed the Court’s concerns in cases where final applications are submitted. The FISC typically operates in an environment where, for national security reasons and because of statutory requirements, time is of the essence, and collateral litigation, including that involving amicus curiae applications in which the Court would generally be completely impractical.

At times, the FISA Courts are presented with challenging issues regarding how existing law applies to novel technologies. In these instances, the FISA Courts could benefit from a conveniently available explanation or evaluation of the technology from an informed non-governmental source. Congress could assist in this regard by clarifying the law to provide mechanisms for this to occur. This could include publications of non-governmental experts and receive information to the extent authorized by the provisions of H.R. 2048 that bear directly on the work of the FISA Courts and how that work is presented to the public. We sincerely appreciate the ongoing efforts of the bipartisan leadership of all the congressional committees of jurisdiction to listen to and attempt to accommodate our perspectives and concerns.

We respectfully request that, if possible, this letter be included with your Committee’s report to the House on the bill.

The “Panel of Experts” Approach of H.R. 2048

H.R. 2048 for provides for what proponents have referred to as a “panel of experts” and what in the bill is referred to as a group of at least five individuals who may serve as an “amicus curiae” in a particular matter. However, unlike a true amicus curiae, the FISA Courts would be required to appoint such an “amicus curiae” in any case involving a “novel or significant interpretation of law” (emphasis added)—unless the bill “summaries” of court opinions that are not limited to, cases involving non-compliance with an order. The lack of a non-governmental perspective on novel legal issues or technological developments. To be sure, we would welcome any amendment that would generally be completely impractical.

In contrast, a true amicus curiae approach was adopted, for example, for the FISA’s role in protecting civil liberties than does the lack of a non-governmental perspective on novel legal issues or technological developments. To be sure, we would welcome any amendment that would generally be completely impractical.
I ask unanimous consent that the Senate table the objection, it is so ordered.

Mr. DURBIN. Mr. President, I ask unanimous consent that the quorum call be rescheduled.

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

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

USA FREEDOM ACT OF 2015

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

The senior assistant legislative clerk read as follows:

A bill (H.R. 2048) to reform the authorities for the collection of information by the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes.

Pending:

McConnell/Burr amendment No. 1449, in the nature of a substitute.

McConnell amendment No. 1450 (to amendment No. 1449), of a perfecting nature.

McConnell amendment No. 1451 (to amendment No. 1450), relating to appointment of amicus curiae.

McConnell/Burr amendment No. 1452 (to the language proposed to be stricken by amendment No. 1449), of a perfecting nature.

McConnell amendment No. 1453 (to amendment No. 1452), to change the enactment date.

Mr. DURBIN. Mr. President, I ask unanimous consent to speak for 2 minutes as in morning business.

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

MEMORATING NATIONAL GUN VIOLENCE AWARENESS DAY

Mr. DURBIN. Mr. President, on January 29, 2013, Hadiya Pendleton was gunned down while standing in a park on the South Side of Chicago. Hadiya was a talented, beautiful, caring young woman with a bright future ahead of her. She was 15 years old, a sophomore honor student at King College Prep. Her family described her as a spectacular source of joy and pride for them.

One week before her death, Hadiya was here in Washington with her school band, performing for President Obama’s second inauguration. She was thrilled by that opportunity. But a few days later, she was gone, murdered by men who mistook her and friends for members of a rival gang.

What a senseless tragedy to lose children to gun violence. It happens every day in America. Overall, on average, 88 Americans are killed by gun violence every day.

Today, June 2, 2015, would have been Hadiya Pendleton’s 18th birthday. Today also marks the first anniversary of National Gun Violence Awareness Day. It is an idea that was inspired by Hadiya’s family and friends in Chicago.

They decided they would ask us to wear something orange today. It is a color that hunters use when they are in the woods to make sure that no one shoots them.

All across the Nation, Americans are wearing orange in tribute to Hadiya Pendleton, in tribute to the tens of thousands of other Americans killed by gun violence every year, and in support of a simple goal: Keep our kids safe. I am proud to join them in wearing orange today. I want to commend Hadiya’s parents—my friends Nate and Kitty, her brother Nate, Jr., and her friends who have turned their pain into purpose.

They are working to reduce the scourge of gun violence and to spare other families and loved ones what they have gone through. These lawmakers here in Washington and throughout the Nation will pay attention and commit themselves to do something about these terrible shootings and deaths. We need to do all that we can to keep guns out of the hands of those who would misuse them and, especially, keep our children safe.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, in the aftermath of the terrorist attacks on our country on 9/11/2001—terrorist attacks that killed some 3,000 people—I authored legislation, along with former Senator Joe Lieberman of Connecticut, to implement the recommendations of the 9/11 Commission to reform and restructure the intelligence community, to improve its capabilities, and also to increase accountability and oversight.

Now, this law is different and distinct from the PATRIOT Act. Our law established the Office of the Director of National Intelligence to coordinate all of the agencies involved in intelligence gathering so that we would reduce the possibility of the dots not being connected and to allow attacks and plots to be detected and thwarted.

Our legislation also created the National Counterterrorism Center, which helps to synthesize the information across government and share it with State and local governments to help keep us safer. Our bill created the Privacy and Civil Liberties Oversight Board, and it installed privacy officers in the major intelligence agencies.

But our law, the Intelligence Reform and Terrorism Prevention Act, shared the common goal of the PATRIOT Act of better protecting our Nation from terrorist attacks because none of us who lived through that terrible day
ever wanted to see Americans die again because our Nation failed to use the tools and capabilities it had to prevent terrorist attacks.

We have had terrorist attacks since that time. The Boston Marathon is an example. Attack plots occurred despite our best efforts, but we have been able to thwart and uncover and detect and stop terrorist attacks—both here and abroad—due to the important tools and capabilities our government has. Like the Presiding Officer, I serve on the Senate Select Committee on Intelligence. I have sat through countless hours of briefings, I have asked the hard questions about our intelligence programs, and I have challenged those who have come before us.

I wish to explain how the current program works at NSA because I believe there is so much misinformation about this important program. One of the most egregious misinformation points that have been made is that the NSA is listening to the content of calls made by American citizens to other American citizens. That is simply not true.

Let me tell you how this program works. First, it starts with a call, a phone number from a foreign terrorist or a foreign terrorist organization. When we get a foreign terrorist’s—who is based overseas—telephone number, the NSA is allowed to query a database to see if that foreign-based terrorist is calling someone in our country. Why is that important? Well, we know ISIS and other terrorist groups have been recruiting Americans and trying to train them to attack our country. That is why it is important.

Only 34 highly trained, vetted Federal employees are allowed to query that database, and even then they are allowed to do so only if a Federal judge finds that a standard has been reached to allow that query to be made. Even if that query is approved by that Federal judge, the analyst can only see the phone numbers called by the terrorist, the date, the time, and the duration of the call.

If there is a match, then the case is turned over to the FBI for further investigation. The FBI must get a court order to wiretap the phone of the American who is talking to that foreign terrorist.

Last month, during a Senate Appropriations Committee hearing, I asked the Attorney General whether there have ever been any privacy violations regarding that telephone data. She replied no.

I am truly perplexed that anyone would argue that telephone data are better protected in the hands of 1,400 telecom companies and 160 wireless carriers than in a secure NSA database that only 34 carefully vetted and trained employees are allowed to query under the supervision of a Federal judge.

Under the USA FREEDOM Act—the House bill—when we get the telephone number of an overseas terrorist, we potentially are going to have to go to each one of those 1,400 telecom companies, 160 wireless carriers, which potentially will involve thousands of people. The privacy implications are far greater if we have the telecoms control the data, far greater.

Moreover, we know private sector data is far more susceptible to hackers, to criminals. Look at all the breaches of sensitive data that have occurred during the past year alone. Plus, I simply don’t think the system will work without a data-retention requirement now that most carriers have flat-rate telephone plans that don’t require detailed call data records. The telecom companies have made very clear they will oppose any bill with a data-retention requirement, and there will be a race to the bottom to market the data in a way that says to people: Sign up with us and your data will be safe from the government.

That kind of demagoguery—even though the commerce committee has done an excellent study that shows the data broker companies sell our personal data, including our names, our phone numbers, our addresses to the intelligence community and other purposes, and some of that data ends up in the hands of con artists.

So I don’t see how vesting the authority in the telecom communications companies increases the privacy of our data. I think just the opposite is the case. It is going to be less secure because it is going to be more exposed to hackers and criminals who will attempt to do data breaches and have successfully done so. It is going to be less secure because instead of 34 people having access to just the phone numbers and call duration data, we are going to have potentially thousands of people who are going to be asked to query their database. The system is going to be less secure because there is absolutely no guarantee this data will be retained by the telecom companies and the wireless carriers.

Finally, I am persuaded by the cautions given to us, by the direct warnings of former Director of the FBI Robert Mueller and the former Deputy Director of the CIA Mike Morell, who tell us that had this program been in place prior to 9/11, it is likely that terrorist plot would have been uncovered and thwarted.

The fact is the House bill substantially weakens a vital tool in our counterterrorism efforts at a time when the terrorist threat has never been higher. The current program has never been abused. The government cannot listen to your phone calls I think just the opposite—because you are directly communicating with an overseas terrorist—and then it goes to the FBI for investigation.

It is a false choice we have to choose between our civil liberties and keeping our country safe. There are actions we can and should take to strengthen the privacy protections in the NSA program. Several were included in the bipartisan bill reported by the Intelligence Committee last year. Unfortunately, the USA FREEDOM Act provides a false sense of privacy at the expense of our national security.

For these reasons, while I will support the amendments today to try to make modest improvements to the House bill, I simply cannot support the bill on final passage.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, I ask unanimous consent to speak for an additional 7 minutes, to be divided between Senator LEAHY and myself.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. LEAHY. Mr. President, I thank the Senator from Utah for his courtesy.

The fact is the USA FREEDOM Act that was passed overwhelmingly in the House of Representatives—that has strong bipartisan support here—is supported by the Director of National Intelligence. It is also supported by our Attorney General. It is supported by our Intelligence Community. And it is a step forward because, ultimately, the legislation protects the privacy of individuals.

I agree with the Senator from Maine that we have strong restrictions at the NSA on the information. However, they were not strong enough, of course, to stop Edward Snowden from walking off with all the information that was there.

We had six public hearings on these issues in the Senate Judiciary Committee last Congress. The original USA FREEDOM Act was introduced by Senator LEE and me and Congressman JIM SENSIBRENNER in the House.

We all knew section 215, the roving wiretap authority, and “lone wolf” provision, would expire June 1, 2015. That is why we started working to change it. We also well as Second Circuit Court of Appeals decision that made part of the program illegal.

I think what we have in the USA FREEDOM Act is a carefully crafted bill by both Republicans and Democrats in the House and the Senate. That is why it passed 338 to 88 in the House. If we start amending it, we don’t know how much longer it is going to take and we end up with no protections. I think that is not a choice we want to make.

On Sunday night, with only a few hours before the sunset of section 215 and the other two expiring FISA authorities, Republican leadership in the Senate finally agreed to begin debate on the USA FREEDOM Act.

For nearly 2 years, I have been working on a bipartisan basis with members in both the Senate and the House to address these matters. As chairman of the Senate Judiciary Committee last Congress, I convened six public hearings to examine the NSA’s bulk collection program and consider reforms to
section 215 and other surveillance authorities.

In October 2013, I introduced the original USA FREEDOM Act with Congressman JIM SENSENBRENNER, Senator LEE, and others. We introduced an updated USA FREEDOM Act in 2014 and pushed for the Senate to pass that bill last November, months before Sunday’s expiration date.

The American people were demanding meaningful reforms, but the intelligence community also needed operational certainty.

We all knew that section 215, the roving wiretap authority, and the lone wolf provision would expire on June 1. That is why I started working months ago with Members of Congress from both parties and both Chambers to forge a compromise that protects both Americans’ privacy and our national security.

We were able to reach agreement on a bill that certainly does not go as far as I would like, but that definitively ends the NSA’s bulk collection of phone records, improves transparency and accountability, and includes other important reforms. Our bill—the USA FREEDOM Act—provides a backstop in case the House passes the new bill.

Unfortunately, the Republican leadership in the Senate has tried to block this progress at every turn. They blocked the Senate from debating the USA FREEDOM Act last November. They again blocked the Senate from debating the bill 2 weeks ago, despite knowing full well that failure to swiftly consider the House-passed bill would lead to expiration of these critical surveillance authorities. This brinksmanship is not a responsible way to govern.

The expiration of the PATRIOT Act provisions on Sunday night was entirely avoidable, and the unfortunate consequence of a manufactured crisis. The Senate must now act responsibly and swiftly. It is time to pass the USA FREEDOM Act, which would restore the expired provisions and add much needed improvements and reforms.

It is long past time to invoke cloture and then quickly dispense with any germane amendments so that we can move to passage of the bill. The House passed the USA FREEDOM Act almost 3 weeks ago by an overwhelming 338 to 88 vote.

Senator LEE and I sought an open amendment process in the Senate, but we were blocked. Now, we simply do not have any time to spare. The Senate must pass this bill without any amendments so that the President can sign it into law immediately and restore these expired provisions today.

A vote for any amendment is a vote to prolong the expiration of the surveillance authorities that ended on Sunday. If the Senate changes the underlying bill in any way, it must go back to the House for its consideration, and there are no guarantees that it will pass the new bill.

In fact, Chairman GOODLATTE of the House Judiciary Committee, Ranking Member CONYERS, Congressman SENSENBRENNER, and Congressman NADLER warned that “[t]he House is not likely to accept the changes proposed by Senator MCCONNELL. Section 215 has already expired, even if commitments will likely make that sunset permanent.”

Let us have no more unnecessary delay or political brinksmanship. It is time to do our jobs for the American people—to protect their privacy and maintain our national security. Now is not the time to seek unnecessary changes to this bill. If Senators believe that the Senate should consider some of these changes, we can consider them after we pass the USA FREEDOM Act.

Mr. President, I urge the Senate to vote for cloture on this bill because we need to move forward. We cannot afford to waste any more time. The USA FREEDOM Act includes important reforms, and we need to give the intelligence community the tools they need to protect our security. That means that we must pass the USA FREEDOM Act without change and without any more unnecessary delay.

Mr. President, I yield to the Senator from Utah.

Mr. LEE. Mr. President, I first want to thank my friend and colleague, the senior Senator from Vermont, for his tireless work on this issue. Senator LEAHY and I, along with Senator HEEKINCH and so many others who are participating in this process, have worked together to develop a legislative strategy that is both bicameral and bipartisan. This legislation we are about to vote on today was passed with an overwhelming supermajority in the House and with 99 votes to 0 in the Senate.

This is a testament to the fact that in so many instances there is more that unites us than divides us in today’s political environment. This is an example of the type of win-win situation we can develop.

This bill protects America’s national security, and it does so in a way that is respectful of the privacy interests and both the letter and the spirit of the Fourth Amendment.

The American people understand intuitively that it is none of the government’s business whom they are calling, when they are calling them, who calls them, and how long their calls last. The American people intuitively understand what graduate researchers have confirmed, which is that this type of calling data—even just the data itself, not anything having to do with recorded conversations, just the data—reveals a lot about an individual, about his or her political preferences, religious views, marital status, the number of children the person may have, and all kinds of interests that are none of the government’s business.

Moreover, the way this data is collected is inconsistent with the way our government is supposed to operate. Rather than going out and demanding some type of connection between the data set requested and a particular investigation, under the current system the government simply issues orders saying: Send us all of your data. Send us all your data on all calls made by all of your customers. We want all of it. If that means 300 million phone numbers, we want all of them. It is an unconstitutional expansion to any suspected terrorist operation.

That is wrong. Our bill would change that, and it would change it quite simply by requiring the government to request information connected to a particular phone number—a phone number that is itself suspected of being involved in some type of terrorist activity.

This bill represents a good compromise. This bill represents reason. The Senate must now act responsibly and swiftly to forge a bipartisan agreement to protect America’s national security while also protecting privacy. This bill, in so doing, recognizes that our privacy is not and ought not ever be deemed to be in conflict with our security. Our privacy is, in fact, part of our security.

We are, unfortunately, considering this bill with too little time left. In effect, we are considering this bill after the PATRIOT Act provisions at issue have expired. This is unfortunate. It undermines our commitment to a longstanding bipartisan problem within the Senate—a problem pursuant to which we establish these artificially designed deadlines.

We have known about this particular deadline for 4 years. For 4 years, we knew these provisions were going to expire. We should have taken up these provisions far in advance of now. Many of us tried. We did so unsuccessfully. Senator LEAHY and I and others have been looking for 4 years for an opportunity to vote on these provisions long before their expiration. We have been ready, willing, eager, and anxious to do so, and we haven’t been able to do so until very recently. Now, because of the fact that these provisions have expired, it is incumbent upon us to move these things forward in all deliberate speed.

Whatever the outcome of this vote and of those votes which will follow later today, the American people deserve better than this. Vital national security tools that protect America’s national security while also protecting our fundamental civil liberties deserve a full, open, honest, and unbridled debate. This should not be subject to cynical, government-by-cliff brinksmanship. If Members of Congress—particularly Republican Members of Congress—want and it represents their standing among the American people, then we must abandon this habit of political gamesmanship.

Finally, it is time for us to pass this bill. This bill which passed overwhelmingly in the House of Representatives, this bill which carefully balances important interests the American people care deeply about.
I urge my colleagues to support this legislation.

Mr. President, this week the Senate will consider the USA FREEDOM Act of 2015, H.R. 2048. I am proud to have introduced the Senate companion to this legislation. I am honored to be joined by Senator LEAHY, ranking member of the Senate Judiciary Committee. We have worked closely with our partners in the House of Representatives, House Judiciary Committee Chairman BOB GOODLATTE, Ranking Member JOHN CONyers, and Congressmen JIM SENSENBRENNER and JERROLD NADLER.

Since revelations in June 2013 that the National Security Agency was secretly and indiscriminately collecting Americans’ telephone records, Senator LEAHY and I have worked together on legislation to end this mass surveillance program and to enact greater transparency and oversight over the government’s intelligence gathering operations. The USA FREEDOM Act of 2015 is the result of that 2-year collaborative effort, and it contains strong reforms. Most importantly, it would definitively end the NSA’s bulk collection of Americans’ telephone metadata and ensure that the Foreign Intelligence Surveillance Act (FISA) letter statutes cannot be used to justify bulk collection.

On May 13, 2015, the House passed the USA FREEDOM Act by an overwhelming, bipartisan 338-to-88 vote. More than 80 percent of House Republicans and 75 percent of House Democrats voted for the bill, including the chairmen and ranking members of the House Judiciary and Intelligence Committees, as well as the leadership of both parties.

The resounding vote in the House is a direct result of the commonsense and meaningful reforms contained in the bill. It is also a testament to the will of the American people, who have been unequivocally demanding reform and their demand that the NSA stop the indiscriminate collection of their private records.

As our colleagues in the Senate consider the USA FREEDOM Act of 2015, Senator LEAHY and I want to detail the extensive legislative process undertaken to develop this bill and provide additional clarity on the bill’s provisions.

Senator LEAHY, I know that you have a long history of pushing for meaningful reforms of the government’s intelligence gathering operations. I thank the Senator from Utah for his advocacy on behalf of Americans’ privacy rights and for his dedicated efforts to end the NSA’s illegal program.

In June 2013, Americans learned for the first time that section 215 of the USA PATRIOT Act has for years been secretly interpreted to authorize the collection of Americans’ phone records on an unprecedented scale. And they learned that the NSA has engaged in repeated, substantial legal violations in its implementation of section 215 and other surveillance authorities. Since that time, Congress and the American public have been engaged in an important debate about the breadth of government surveillance powers and how the NSA should be allowed to authorize the collection of Americans’ data.

Under my chairmanship last Congress, the Senate Judiciary Committee held six open and public hearings that sharpened the committee’s thinking and broadened the public dialogue on these important issues. Senator LEACH, Congressmen JIM SENSENBRENNER, Congressmen JOHN CONYERS, and I introduced bicameral, bipartisan legislation, the USA FREEDOM Act of 2013, S. 1599/H.R. 3361, on October 29, 2013, to end bulk collection and reform our surveillance laws. The President announced his support for ending the bulk collection of Americans’ phone records in March 2014. The House of Representatives passed a new version of the USA FREEDOM Act in May 2014, and after lengthy discussions with the executive branch, the technology industry, privacy advocates, and other stakeholders, Senator LEACH and I introduced the USA FREEDOM Act of 2014, S. 2685/H.R. 3358, on November 18, 2014, the full Senate failed to invoke cloture on the motion to proceed to the USA FREEDOM Act of 2014, by a vote of 58 to 42.

Despite falling two votes shy last Congress, Senator LEACH and I knew that the May 31, 2015, expiration date was approaching, and we continued to work on a bill to reform these authorities. Senator LEACH, can you explain the process we have undertaken this year?

Mr. LEACH. Since November 2014, Senator LEACH and I have been engaged in conversations with Senate Judiciary Committee Chairman GOODLATTE, Ranking Member CONYERS, and Congressmen SENSERNBRENNER and NADLER to develop a new version of the USA FREEDOM Act. After extensive negotiations with the administration, intelligence community officials, privacy and civil liberties groups, the technology industry, and other stakeholders, we introduced the USA FREEDOM Act of 2015, S. 1231/H.R. 2048, on April 28, 2015.

Of course, the USA FREEDOM Act of 2015 was not introduced in a vacuum. Nearly 2 years ago, on June 5, 2013, the Guardian newspaper published an article and posted a classified FISA Court order revealing that the U.S. Government had been engaging in the bulk collection of Americans’ telephone metadata. One day later, on June 6, 2013, the Washington Post published an article and posted further classified information about a separate government surveillance program called PRISM involving the collection of the contents of Internet communications. The administration was subsequently asked if it was true that the NSA’s bulk collection of telephone metadata was being conducted pursuant to section 215 of the USA PATRIOT Act. The NSA’s

PRISM program to collect the contents of Internet communications of certain overseas targets was being conducted pursuant to section 702 of FISA, which was enacted as part of the FISA Amendments Act. These programs were revealed, then-Chairman LEACH convened a number of hearings so that the American people could better understand what the NSA was doing.

Mr. LEACH, can you remind us of the Judiciary Committee’s activities in the 113th Congress?

Mr. LEACH. As I mentioned, during the last Congress, the Senate Judiciary Committee held six open, public hearings to examine the legal basis, effectiveness, and impact of these programs on Americans’ privacy rights and civil liberties. We heard testimony from a wide range of government officials, legal scholars, technologists, and outside experts as the committee sought to understand and evaluate the numerous issues raised by these activities.

On July 31, 2013, I chaired the first full Judiciary Committee hearing to examine government programs with administration officials and outside experts. At the hearing, the NSA Deputy Director confirmed that the NSA’s bulk telephony program did not help to thwart dozens of terror plots and administration officials defending the program had been contending. He confirmed that section 215 was only uniquely valuable in thwarting one terrorist “plot”—the case of Basaaly Moalin, a Somali imam who was convicted of material support for sending $8,500 to al-Shabaab in Somalia.

As a result of continued public debate about the government’s surveillance activities, on August 9, 2013, President Obama announced that he was ordering the Director of National Intelligence, DNI, to establish a group of outside experts to review the government’s intelligence and communications technologies and recommendations on possible reforms to surveillance authorities. He also announced the public release of additional documents, including a Department of Justice white paper outlining the legal justification for the section 215 bulk collection program.

Over the course of the following months, the DNI declassified and released a host of documents related to activities conducted under section 215 and the USA PATRIOT Act and section 702 of FISA. The released documents detailed serious incidents of noncompliance and violations of law in implementing both of these programs. For example, the documents revealed that the NSA was unlawfully collecting thousands of wholly domestic emails and other electronic communications as part of its section 702 collection. In addition, FISA Court orders relating to the section 215 program called significant surveillance problems and were highly critical of the NSA’s oversight and operation of the program.
On October 2, 2013, I chaired a second full Judiciary Committee hearing on government surveillance authorities. NSA Director Alexander revealed for the first time that the NSA had previously conducted a pilot program to test the handling of Internet data as part of the section 215 phone records program, although he emphasized that it was only a test. The second panel of witnesses at the hearing testified about the government’s legal justification for the collection of telephone records under section 215. A technologist and computer scientist provided testimony to illustrate the power of metadata and the blurring distinction between content and metadata in the digital age.

Shortly after that hearing, on October 29, 2013, I joined with Senator LEE, Congressman SENSENBRENNER, and Congressman CONYERS to introduce the bipartisan, bicameral USA FREEDOM Act of 2013 to comprehensively reform a surveillance authority. This legislation served as the basis for many of the reforms Congress is now debating.

On November 13, 2013, Senator FRANKEN chaired a Judiciary Committee subcommittee hearing on legislation that he had introduced, the Surveillance Transparency Act of 2013, components of which were included in the USA FREEDOM Act. Government witnesses testified about efforts by the three branches to promote greater transparency of surveillance activities. In addition, several outside witnesses, including representatives from the U.S. technology industry, spoke about the economic harm and damage to American technology companies as a result of revelations of government surveillance activities. These witnesses testified that American businesses stand to lose billions of dollars in the coming years as a result of revelations about U.S. government surveillance activities.

On November 18, 2013, the DNI declassified and released a host of documents related to a previously classified program that collected bulk Internet metadata. The documents included a FISA Court opinion authorizing the bulk collection of Internet metadata under the FISA pen register and trap and trace device authority. As with the section 215 telephone metadata program, the declassified documents revealed that the bulk Internet metadata collection program also encountered major compliance problems during its operation. In 2011, the program was ended by the government because it was not meeting operational expectations.

On December 9, 2013, eight leading technology companies—AOL, Apple, Facebook, Google, LinkedIn, Microsoft, Twitter, and Yahoo!—wrote an open letter to President Obama and Congress laying out five surveillance reform proposals. The companies called for a prohibition on the bulk collection of Internet data and argued that governments should limit surveillance to specific, known users for lawful purposes. The companies also urged stronger checks and balances, including an adversarial process at the FISA Court.

On December 11, 2013, the Judiciary Committee held its fourth hearing on these issues. At the hearing, government witnesses discussed the possibility of placing a privacy advocate at the FISA Court, the recently declassified documents about the bulk collection of telephone data, and the scope of collection that is permitted under traditional section 215 orders. We learned that the problems with the Internet metadata program were so severe that the FISA Court suspended the program entirely for a period of time before approving its renewal. But then, in 2011, the government ended this Internet metadata program because, as Director Clapper explained, it was no longer meeting “operational expectations.” Government lawyers testified that under the statute, there was no legal impediment to restarting this bulk Internet data collection program. If the executive branch—or a future administration—wanted to simply apply for an order from the FISA Court.

On December 18, 2013, the President’s Review Group on Intelligence and Communications Technology publicly released its final report, which included 46 recommendations and findings to reorganize government surveillance activities. The review group members included Richard Clarke, former counterterrorism adviser to Presidents George H.W. Bush, Bill Clinton, and George W. Bush; Michael Morell, former Acting Director of the CIA; Geoffrey Stone, professor at the University of Chicago Law School; Cass Sunstein, Harvard Law School professor and former senior OMB official in the Obama administration; and Peter Swire, a professor at Emory University’s School of Law and former adviser to Presidents Obama and Clinton. They concluded that the section 215 phone records program had not been essential to national security, saying: “The information contributed to terrorist investigations by the use of section 215 telephony meta-data was not essential to preventing attacks and could readily have been obtained in a timely manner using conventional section 215 orders.” The report found that “Section 215 has generated relevant information in only a small number of cases, and there has been no instance in which NSA could say with confidence that the outcome would have been different without the section 215 telephony meta-data program.”

This sort of massive surveillance presents significant privacy implications in the digital age, and the review group’s report provided valuable insights. The report explained that keeping track of an individual has made over the course of several years “can reveal an enormous amount about that individual’s private life.” The report further explained that in the 21st century, revealing private information to third party services “does not reflect a lack of concern for the privacy of the information, but a necessary accommodation to the realities of digital technology.” The report questioned whether we can continue to draw a rational line between communications metadata and content. This is a critically important question given that many of our surveillance laws depend upon the distinction between the two.

The review group also addressed the national security letter, NSL, statutes. Using NSLs, the FBI can obtain detailed information about individuals’ communications records, financial transactions, and credit reports without judicial approval. Recipients of NSLs are subject to permanent gag orders. The review group report made a series of important recommendations to change the way national security letters operate. I have been fighting to impose additional safeguards on this controversial authority for years—to limit their use, to ensure that NSL gag orders comply with the First Amendment, and to provide recipients of NSLs with a meaningful opportunity for judicial review.

Following release of the review group’s report, the Judiciary Committee then held its fifth hearing on the NSA’s programs and the members of the review group to testify. On January 14, 2014, the members of the review group testified before the Senate Judiciary Committee and explained that in light of changing technology and the creation of more and more data, it recommended transitioning to a system where the government does not hold massive databases of Americans’ metadata. Rather, metadata could be held by providers or a third party, and could be searched by the government only with advance judicial approval. The five members of the panel made clear that while we must always consider ongoing threats to national security, policymakers should consider all of the risks associated with intelligence activities: the risk to individual privacy, to free expression and freedom of association, to an open and decentralized Internet, to America’s relationships with other nations, to trade and commerce, and to maintaining the public trust.

Following the review group’s report, in January 2014, President Obama took an important step to restore American’s privacy and civil liberties by embracing the growing consensus that the section 215 programs, and the program should not continue in its current form. During a speech at the Department of Justice, the President announced that he had directed the intelligence community to develop alternatives to the program and asked the FISA Court to provide enhanced judicial approval from the FISA Court to query the section 215 phone call database. Additionally, he ordered the
government to limit searches of the section 215 database to two "hops," instead of three. He also recommended reforms to the secrecy surrounding national security letters.

A January 23, 2014, report by the Privacy and Civil Liberties Oversight Board, PCLEB, added to the growing chorus calling for an end to the government's dragnet collection of Americans' phone records. On February 12, 2014, the Judiciary Committee held its sixth public hearing. This time, witnesses from the members of the PCLEB to explain the conclusions in their report. As with the President's review group, the PCLEB report likewise determined that the section 215 program has not been effective, saying: "We have not identified a single instance involving a threat to the United States in which the program made a concrete difference in the outcome of a counterterrorism investigation. Moreover, we are aware of no instance in which the program directly contributed to the discovery of a previously unknown terrorist plot or the disruption of a terrorist attack."

The PCLEB report also provided the public with a detailed constitutional and statutory analysis of this program and concluded the program lacked a viable legal foundation under Section 215 and "implicates constitutional concerns under the First and Fourth Amendments." The PCLEB report further revealed that although the FISA Court had authorized this program in 2006, it did not issue an opinion setting forth a full legal and constitutional analysis of the program until 2013.

In March 2014, after consulting with the intelligence community, President Obama announced that his administration would work with Congress to pass legislation to end the NSA's section 215 bulk phone records collection program and to transition to a new program in which the data is not held by the government. The bulk collection is a key element of what I, Senator Lee, and others have included in the various iterations of the USA FREEDOM Act.

After the President's announcement, the House of Representatives took action. Senator Lee, would you like to expand on what transpired in the House?

Mr. LEE. On May 5, 2014, House Judiciary Committee Chairman Goodlatte announced that he had agreed with Representative Sensenbrenner and Conyers on a new version of the USA FREEDOM Act. On May 7, 2014, the House Judiciary Committee voted unanimously to report this revised USA FREEDOM Act. On May 7, 2014, the House Judiciary Committee voted unanimously to report this revised USA FREEDOM Act. On May 11, 2014, the House of Representatives took action. Senator Lee, would you like to expand on what transpired in the House?

Mr. LEE. On May 5, 2014, House Judiciary Committee Chairman Goodlatte announced that he had agreed with Representative Sensenbrenner and Conyers on a new version of the USA FREEDOM Act. On May 7, 2014, the House Judiciary Committee voted unanimously to report this revised USA FREEDOM Act. On May 11, 2014, the House of Representatives took action. Senator Lee, would you like to expand on what transpired in the House?
equally well to other sets of records. If the government is correct, it could use § 215 to collect and store in bulk any other existing metadata available anywhere in the private sector, including data associated with financial records, medical records, and electronic communications (including e-mail and social media information) relating to all Americans.

Such expansive development of government repositories of formerly private records would be an unprecedented contraction of the privacy expectations of all Americans.

The court also rejected the government’s attempt to compare the NSA’s section 215 orders for bulk collection of telephony metadata to grand jury subpoenas, citing the expansive scope and breadth of the information requested. The court correctly noted:

The sheer volume of information sought is staggering; while search warrants and subpoenas for business records may encompass large volumes of paper documents or electronic data, the most expansive of such evidentiary demands are dwarfed by the volume of records obtained pursuant to the orders in question. The government can point to no grand jury subpoena that is remotely comparable to the real-time data collection undertaken under this program.

While the Second Circuit held that the bulk metadata collection program is illegal, it did not issue a preliminary injunction to enjoin the program. The Second Circuit remanded the case with instructions for the district court to consider whether an injunction was appropriate in light of the operation on June 1, 2015, expiration of section 215 and ongoing efforts in Congress to enact legislation before the sunset.

As both Senator LEAHY and I have mentioned, the USA FREEDOM Act of 2015 passed the House of Representatives less than a week later by an overwhelming and bipartisan vote of 338 to 88.

In order to aid Senators’ consideration of this bill, and to prevent misinterpretations of Congress’s intent, we want to bring to the attention of the Senate that debate on H.R. 2048, an act to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes.

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 H.R. 2048, an act to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes.

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair now directs the clerk to call the roll to ascertain the presence of a quorum.

Mr. LEAHY. Mr. President, I ask unanimous consent that we waive the mandatory quorum.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The question is, Is it the sense of the Senate that debate on H.R. 2048, an act to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rules. The clerk will call the roll.

Mr. LEAHY. I agree that the new requirement for a “specific selection term” in the USA FREEDOM Act of 2015 is separate from the requirement of “relevance.” I would like to clarify one last point. Section 104 of the bill authorizes the FISA Court to impose additional, particularized minimization procedures for information obtained under section 501 of FISA. That section of the USA FREEDOM Act may impose additional procedures related to “the destruction of information within a reasonable time period.” That provision therefore provides authority for the FISA Court to specify a time period within which the government must destroy information.

Mr. LEAHY. I have been proud to work with Senator LEE for nearly 2 years to develop the legislation that we have been discussing. It has involved many months of hard work over many months. The result is a solid bill with a set of commonsense reforms that has overwhelming support. The Senate should pass it today.
Garland, TX, because they were exercising their First Amendment rights and were displaying cartoons that these two jihadists felt insulted the Prophet Muhammad.

Thanks to the good police work of a Garland police officer, both of those people were taken out of action before they could kill anybody there at that site. But why in the world would we want to take away from our intel-ligence authorities the ability to detect whether individuals, such as these two jihadists from Phoenix who traveled to Garland, had been communicating with known terrorist telephone numbers in Syria or anywhere else in the world? These are foreign telephone numbers that are matched up and provide an essential link and, really, a tripwire for the intelligence community.

What the amendments that we will vote on this afternoon would do is to slow the transition from NSA storage to the phone company stewardship from the 6 months prescribed in the underlying bill. For those who believe that the underlying bill is the correct policy, I do not know why they would object to a little bit of extra time so we can make sure that this is going to work as intended.

Indeed, the second amendment does relate specifically to that. It would require a certification by the Director of National Intelligence that the software actually exists. If we then ask the National Security Agency to query the phone records in the possession of the telephone companies.

Another amendment would provide that the Foreign Intelligence Surveillance Court, which is a group of experi-enced Federal judges who review the requests from the FBI and other law enforcement authorities, would be able to query these telephone records. It would establish a panel of experts, so to speak, against the govern-ment’s case in front of the Foreign In-telligence Surveillance Court. As some-body who used to be a judge for some time, this is a rather strange provision because what it does, essentially, is to put a defense attorney in the grand jury room and create an adversarial process at the early stages of an investi-gation, which may or may not lead up to an indictment in that case.

The final amendment would require the government to show progress if they are going to change their policy for retaining customer records. This is a serious concern because it could well be that some telephone com-panies will start marketing to poten-tial customers that they will not retain any records, thus eliminating an important tool which helps keep Amer-icans safe and has absolutely zero threat to civil liberties.

There has been so much misrepresen-tation as to what the so-called metadata program has done. I think that is one of the reasons we find our-selves here today. Many who believe the program is useful are reluctant to even talk about it in public because, as we know, so much of what is done to protect our country is classified. So rather than have a public debate and actually correct the misstatements of fact and the demagoguery that unfor-tunately attends this subject, many people simply remain silent or say exactly what is going on and what Congress is doing. But I would just point out that oversight of these programs is ab-solutely rigorous. It is executive, judi-cial, and legislative oversight. It is not a matter of trust as to whether these programs work the way they are sup-posed to; it is actually verified on a regular basis, universally verified.

Also, we have to go before these Fed-eral judges known as a FISA Court—a Foreign Intelligence Surveillance Court—in order to make our case. Un-less we can make our case to these judges that there is reason to continue the investigation, they will shut it down.

One of the things I think we have for-gotten is that we want to treat intel-ligence gathering and prevention as we do ordinary law enforcement. What I mean by that is that ordinarily, in the criminal law context, government does not get involved in a case unless something bad has already happened. If there has been an explosion or a mur-der or a bank robbery or something like that, it is after the fact that we try to figure out what happened and who caused it and then we can inter-vene and bring them to justice. That satisfies an important need in our society to enforce our criminal law, but that is far different from what our intelligence community is supposed to be doing because they are supposed to be detecting threats and intervening in those ongoing schemes and stopping them before they ultimately occur.

That is the important lesson we learned on 9/11. Unfortunately, it has not been long now that any people have simply forgotten or they don’t feel as though this is an imminent threat. But when Director Comey says they have open inquiries in all 56 FBI field offices about the potential threat of homegrown terrorists, I take that very seriously. I believe it is absolutely reckless for us to take any unnecessary chances.

There are some who say this under-lying bill is important because instead of the National Security Agency collecting these telephone numbers, we are going to leave the data with the telephone companies. But none of the people who are going to be querying these records at the phone companies have security clearances. One can just imagine the potential for abuse at the phone companies of these phone records once they receive some sort of request from the government.

We know the current system as run at the National Security Agency is subject to rigorous oversight and has been mentioned. In addition to the executive, judi-cial, and legislative oversight, we ac-tually have a private and civil liberties
oversight board which makes sure that we strike the right balance. Nobody wants to see the privacy rights of American citizens undermined, but we all are adult enough to know that there has to be a balance and that in order to provide for security and to avoid terrorist attacks that occurred on 9/11, we are going to have to take some actions to reach the right balance, and I believe the current law does that.

Unfortunately, we have a traitor such as Edward Snowden who selectively leaked certain portions of this program, and it has created an uproar. I think that unfortunately, as a result of his leaks and the ensuing political environment after that, America is at greater risk, and that is a terrible shame.

So I think it is reckless to take a chance. We have been fortunate that there have been no terrorist attacks on our homeland since 9/11. Well, I take that back. Five years ago, at Port Hood, MAJ Nidal Hasan killed 13 people and injured 30-something more. Of course, we know now that he had been in constant communication over the Internet with Anwar al-Awlaki, who subsequently was killed in a drone strike—even though he was an American citizen—overseas. He was overseas because he was recruiting people to Islamic extremism, including Nidal Hasan, who killed 13 people at Port Hood years ago.

It is simply a fact that the Fourth Amendment of the U.S. Constitution involving searches and seizures doesn’t apply to foreign terrorists; it applies to Americans. Under the procedures used under current law, all requests for additional information are subject to Federal court supervision and permission.

So we will vote on a number of amendments this afternoon. I can tell my colleagues after talking to a number of our colleagues, many of them have said they don’t really have any disagreement over the content or the policy of these amendments. Actually, these amendments are designed to try to strengthen the underlying House bill.

We all understand that the House is going to prevail in the basic structure of the underlying piece of legislation, but since when did the U.S. Senate outsource its lawmaking to the other body across the Capitol? We have a bicameral legislature—a Senate and a House—for a reason. We know we make better decisions when we have consultation between the two branches of the legislature—not capitulation but consultation. The Senate should not be any of the legislature—not capitulation but consultation between the two branches make better decisions when we have a bicameral legislature—a Senate and another body across the Capitol? We have said they don’t really have any of their prerogatives as U.S. Senators to represent their constituents in this body? We all know we make better decisions in consultation with other people.

Certainly I think it is true that the House’s bill is not holy writ. It is not something we have to accept in its entirety without any changes. I think where the policy debate should go and the amendments and to say that we understand the House wants to change the current custody policy of these phone records and leave them with the phone company, but we sure need to know the new system will actually work. Doesn’t that make sense? That is why the certification from the Director of National Intelligence is so important. It makes sense to provide a little bit more time—from 6 months to a year—in order to make sure this transition goes smoothly.

I know no Member of the Senate and no Member of the House and no American wants to look back on our hasty treatment of this underlying legislation and say: If we were just a little more careful, if we had just taken a little bit more time, if we had just been a little more thoughtful, a little more deliberative, and talked about the facts as they are and not some misrepresentation of the facts, we could have actually prevented a terrorist attack on our home soil.

Unfortunately, by increasing the risk to the American people, as I believe this underlying bill will do, we may not find out about that until it is too late. I hope and pray that is not the case, but why should we take the risk to the homeland? Why should we risk anyone being injured or potentially killed as a result of a homegrown terrorist attack on our own soil because we have simply blinded ourselves in a significant way to the risks? Not that this is a panacea, not that this is some litmus test, but it is an essential piece of information that will help law enforcement make the case to not just prosecute crimes after they occur but to prevent them from occurring in the first place through the good and sound use of constitutional intelligence gathering in a way that respects the privacy of all Americans but lives up to our first and foremost responsibility, and that is to keep the American people safe.

Mr. LEAHY. Madam President, I yield to the distinguished ranking member.

The PRESIDING OFFICER. The Senator from Vermont.
the NSA said: “We are aware of no technical or security reason why this cannot be tested and brought online within the 180-day period.” I think the NSA Director is as knowledgeable about this subject as anybody in this Chamber, and he says we can go forward.

I think all of these amendments that are talked about would simply delay passing an excellent piece of legislation, one that has been worked on by Republicans and Democrats for months and everyone should pass it today.

We hear about stopping terrorism attacks. We all want to do that. But I remember some of the statements made by a former NSA Director that this had stopped 54 terrorist attacks. When he was pressed on that claim, it came out more that the bulk collection program was only important after the fact in one case—and that was not a terrorist attack.

We also know that 9/11 could have been avoided. The evidence was there. The information was there. But the dots had not been connected. Everybody was frantically taking information that they already had—recordings they already had after 9/11—and saying: We ought to get around to translating what is in these things. We know that in Minnesota, the FBI warned that people were taking flight lessons and there was no good reason. That warning was ignored. They basically were told: We know all about this.

I remember the day or so after the attack, at FBI Headquarters, people were calling in with information from different field offices. Somebody would write it down and would hand it to somebody else who would rewrite it and hand it to somebody else who would put it in a file. They would charter planes to bring photographs around to different places so our offices could see them. And I said: Well, why don’t we just put the photographs? They would say: Well, we don’t have the ability to do that. I said: Well, my 11-year-old neighbor could do it for you if that would help.

The fact of the matter is we had the information prior to our own new laws, and it didn’t make us safer—any more safer than when we voted for $2 to $3 trillion to go into Iraq because, as the Vice President and others were saying, they were about to attack us with nuclear weapons, and they were implying they were involved in 9/11.

Mr. WYDEN. Will the distinguished ranking member yield?

Mr. LEAHY. Yes.

Mr. WYDEN. I think the ranking member has made a number of very important points here.

The fact of the matter is that we are all here because the majority leader wasn’t able to defeat the surveillance reform. So instead, he has chosen to introduce amendments designed to water down what he disapproved of this. I will oppose all of these amendments, and I want to have a colloquy briefly with the ranking minority member.

The ranking minority member and our colleague from Connecticut, Senator BLUMENTHAL, have done very good reform work with respect to the FISA Court. In particular, what the distinguished Senator from Vermont has done, with the help of the Senator from Connecticut, is very important sunshine and transparency to the court. As my two colleagues have pointed out on the Judiciary Committee, we really meet on the major questions—not all of them, as the Senator from Connecticut has said—but what is really needed is to make sure that both sides get a chance to be heard, not just the government side.

So what troubles me—and I am interested in the reaction of my colleague from Vermont, and I want to praise him and my colleague from Connecticut—is that it seems to me that what the Senate majority leader wants to do is basically to take us back to the days of secret law.

What is it that as we get into this, and particularly with this amendment, is that there is a difference between secret operations and secret law. Operations always have to be kept secret.

I see my friend Chairman BURR here. We serve on the Intelligence Committee together. The two of us feel so strongly about making sure secret operations are kept secret because otherwise Americans are going to die. We can’t have secret operations played all hither and yon in the public square.

But the law always ought to be public. As Senator LEAHY has pointed out for some time—and I warned about it here on the floor—what we would see is, if you live in Connecticut or Vermont, the PATRIOT Act talked about collecting information relevant to investigation. Nobody thought that meant millions and millions of records on law-abiding people. That decision was made without the reforms advocated by the Senator from Connecticut and the Senator from Vermont.

So I would be interested in my colleague from Vermont’s reaction to the majority leader’s amendment to scale back your very constructive reforms on the FISA Court. And my sense is that what the majority leader’s approach would do would take us back to the days of secret law. I think that is a mistake, and I would be curious about the reaction of my colleague from Vermont on this.

Mr. LEAHY. I would say to my friend from Oregon that the American people want to know how the laws are being interpreted. They want to know what the courts are doing.

As to secret operations, of course, you have had brieﬁngs on those. I have had brieﬁngs on those. I have been in places I will not name here. They are places overseas where I was there in the operations center as operations were taking place and being brieﬂed on what they did, where they got the information, and what they were going to do next. Of course, none of that you want to be reading in the press or seeing in real time.

But I also know that when we are dealing with Americans and with their lives and with their sense of privacy, we have to protect them. The USA FREEDOM Act makes very simple changes to the FISA Court. The bill provides the FISA Court with the authority to designate individuals who have security clearances to be able to serve as an amicus or a friend of the court. It is triggered in relatively rare cases involving a novel or signiﬁcant issue of law, and the decision of appointment is left entirely up to the court. That is about as narrowly drawn as you can get.

But I think we have to have this ability to know what the court is doing because we have known for years that the FISA Court secretly misinterpreted Section 215 to allow for the dragnet collection of Americans’ phone records.

I would be happy to yield to the Senator from Connecticut, who has worked so hard on this and is a former attorney general of his own State.

My own experience in getting search warrants for phone records or anything else as a prosecutor—and I realize it is not the complexity of what we have today, but I realize we had to follow the law—is that, ultimately, that protects us more than anything else. I do not want this administration or any other administration ever to have the ability just to go anywhere they want.

I am not encouraged by those who say this is so carefully maintained. We were given information earlier that just a small number of people can have access to those records. I guess it is one less since Edward Snowden walked out the door with all of it.

I will yield to the Senator from Connecticut if he would like to speak on this subject.

Senator from Oregon has been such a strong and passionate leader on this, and I know from what I hear from the people of my State and when I am down in his State that people want us to be safe, but they also want their privacy protected.

The PRESIDING OFFICER (Mr. FLAKE). The Senator from Connecticut.

Mr. BLUMENTHAL. I thank the Chair.

Mr. President, I am very grateful for the opportunity to follow my distinguished colleague from Vermont and to emphasize some of the points that he has just made. But first let me thank Senator WYDEN for his leadership and his courage on this issue of foreign intelligence surveillance reform. He has had to lead this effort long before I was in the Senate, in favor of more transparency and accountability.

Those are among the overarching objectives here.

My colleague from Vermont, who shares with me a background as a prosecutor, rightly makes a point that warrants and other means of surveillance when prosecutors seek them are sought
ultimately from judges. I want to speak to some of the myths and misconceptions here that endanger this key reform.

Our colleague from Texas, whom I greatly respect, has argued that the FISA Court is a grand jury and, in fact, he has said that an amicus should not be appointed, in effect, to intervene with a body that is like a grand jury. Well, the Foreign Intelligence Surveillance Court is not a grand jury, as my colleague from Oregon has said very well. The FISA Court makes law. It interprets the law in ways that are binding as legal precedents. Far from being like a grand jury, as a truly investigative tool of the court, the Foreign Intelligence Surveillance Court is a court. In fact, it is composed of article III judges who do as they do on their own district courts or appellate courts; that is, they interpret law and thereby, in effect, make law.

To keep that law secret is a disservice to the American people and to our legal system. To have only one side represented skews and, in effect, impedes the operations of that court because we know that judges make better decisions when they hear both sides and have their protection. Even so, the FISA Court needs to hear from that amicus panel only when it chooses to do so, ultimately.

It has the discretion under the statute, as it exists now, to decide to appoint an amicus in novel or significant cases unless—and the word “unless” is in the statute—it issues a finding that the appointment is not appropriate. It can make that finding whenever it wishes to do so. So the discretion is for the FISA Court in whether to hear from an amicus, even under the bill that the USA FREEDOM Act is now. It can permit the amicus to address privacy, technology, and any other area relevant to the matter before the court—not just constitutional rights. And that leads to the second misinterpretation, if I may say so, in the remarks made by my colleague from Texas.

The bill does not direct an amicus to oppose intelligence activity or to oppose the government’s view or position. In fact, it is to enlighten the court. In some instances it may oppose the government, but it is as part of that process as any other area relevant to the matter before the court—not just constitutional rights. And that correct legal interpretation—not as a kind of knee-jerk reaction to oppose the government.

Again, I stress, a novel or significant issue in the discretion of the court may be addressed by the amicus. What the amendment does is to deprive the amicus or expert panel of the access it needs to facts and law to be the best that it can be in interpreting, arguing, and protecting rights. It, in effect, bars access to past precedents of the court, to briefing materials, to information critical to facts that may be known to the Department of Justice or intelligence agencies. That hampering and hobbling of the amicus in no way serves the cause of justice. It in no way serves the cause of intelligent intelligence activities—in fact, it undermines that activity.

It undermines trust and confidence in the court. This court has operated in secret. It has heard arguments in secret. It has issued opinions in secret. It is the kind of court our Founders would have found an anathema to their vision of democracy and freedom. We may need such a court now to authorize the surveillance that must be kept secret, but we need to strike a balance that protects very precious constitutional rights and liberties.

After all, what does our surveillance and intelligence system protect if not these fundamental values and rights of privacy and liberties that have lasted and served us well because we respect them?

More than a physical structure that we seek to protect through this system it is the kind of freedoms that are fundamentally paramount and important. So this FISA Court reform goes to the core of the changes—constructive changes that we seek to make. I hope my colleagues will defeat amendment 1451. I hope all the other amendments, because the practical effect of adopting amendments is it further delays implementation of the USA FREEDOM Act at a time when our country may be at risk from the expiration of the PATRIOT Act. We cannot afford for this country.

Mr. Wyden. Will my colleague yield for a question on that point? Mr. Blumenthal. I will be happy to yield.

Mr. Wyden. Because I think, again, my colleague from Connecticut has spoken to what the stakes are here. For the last decade, intelligence officials have been relying on secret interpretations of their authorities that have been very different from the plain reading of public law. The public has seen the consequences of that, and they are angry because the American people know we can have policies that promote both security and liberty.

I would just like to ask a question of my colleague with the respect to what the implications would be of hollowing out the good work you and Senator Leahy have done with respect to having more transparency and both sides arrive with improved interpretations with respect to the FISA Court. I would like to note that the majority leader’s second amendment delays implementation of other important reforms that you all have dealt with.

For example, one question I was asked about at a town hall meeting just this past weekend in Tillamook, OR, where I was, is people were concerned about what would we do to protect our Nation when there was an emergency. You all, in your good work, have, in effect, enhanced the intelligence language to make sure that when there was an emergency—government officials already can issue an emergency authorization to get the business records and you would then seek court approval, and you all strengthen that.

All of you on the Judiciary Committee said: We are going to provide another measure of security for the American people. We are going to protect their liberty and we are going to strengthen their security. It looks to me like the combination of the majority leader’s two amendments scaling back the reforms, the transparency reforms in the FISA Court, and delays of other amendments of emergency authorities that can protect the American people without jeopardizing their liberty would really roll back the kind of reforms the American people want.

I would be interested in my colleague’s reaction to that.

Mr. Blumenthal. I am happy for that very pertinent and important question from my colleague from Oregon. In fact, the majority leader’s amendments would not only scale back and roll back the protections for the American people in the event of exiguous or urgent situations, they would also undermine the confidence and trust of the American people in this system to protect the homeland.

Delaying these kinds of reforms undermines the goal of protecting our national security as well as preserving our fundamental constitutional rights. Delay is an enemy here. Uncertainty is an adversary, we owe it to the American people not only to restore their trust and confidence and sustain the faith of the American people in the intelligence agencies but also to make it more transparent, where it can be made so without compromising security and increasing accountability.

That is what the FISA Court reforms do. That is why the Director of National Intelligence as well as the Attorney General, the Privacy and Civil Liberties Oversight Board, at least two former FISA Court judges, civil rights advocates, and representatives of many of the most informed and able in our intelligence community all support these reforms.

The Director of National Intelligence and the Attorney General said in 2014, “The appointment of an amicus in selected cases as appropriate need not interfere with the important aspects of adversary processes. Amendments that would roll back the kind of reforms the American people want.”

Ex parte communication, in effect, secret conversation or consultation, can continue to go forward under this bill. The amendment would not alter that fact. The amendment simply makes the amicus less effective by depriving that amicus of access to facts and law that are necessary to do its job. So, in my view, these amendments fundamentally undermine the purpose of these reforms. I hope my colleagues will defeat the majority leader’s amendments today. It is an increasingly large margin that has voted for these
reforms, recognizing what I hear from Connecticut, what my colleagues hear in their States; that people want to believe the Foreign Intelligence Surveillance Court is, in fact, operating as a court, hearing both sides, keeping secrets but at the same time increasing public access to facts and law that are important to them without compromising our national security.

I hope my colleagues will vote to reject these amendments. As the Senator from North Carolina has said, adopting them will simply serve to delay reforms that are necessary.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BURR. Mr. President, there are always two sides of every picture, two sides of every story. I have tremendous affection for Ranking Member LEAHY. We are friends. We look at this issue differently, but respect for Senator BLUMENTHAL, Senator WYDEN.

The fact is I look at history a little bit differently and I look at the future a little bit differently because I think what the American people want to believe is that America is doing everything possible to keep them safe. I think, at the end of the day, that is the single most important issue: Are we doing everything we can to keep America safe?

Now, Senator WYDEN opposes section 215. He talked about changes. He is opposed to section 215. He is a member of the committee, I know exactly where he stands, and I respect it. The fact is that this is a very effective program. My colleagues are right. It was not a public program until Eric Snowden, a traitor to the United States, published a lot of information about what the intelligence community does. This was one small piece. The Snowden put the lives of Americans and foreigners at risk in what he released.

You cannot put the genie back in the bottle, but you also cannot hide from the fact that this program enables us to thwart terrorist attacks here and abroad. I quoted the four of them yesterday. This program itself was what we were able to use post the Boston Marathon bombing to figure out whether the Tsarnaev brothers had an international connection that directed them to do this new database.

Yes, the FISA Court operates in secret. Why? It is the same reason the Tsarnaev brothers had an international connection that directed that horrific event at that marathon.

Now, rather than have a number of people controlled and supervised within the NSA to carry out these queries, we are going to have telephone company employees carry out a query with a known foreign terrorist’s telephone number against all of the numbers in their database. Again, hopefully, they will not tie a person’s name to it. We do not even get a person’s name at the NSA.

The only people who should be worried are Americans who have actually had a communication with a known terrorist abroad. Now, I think when the American people hear me talk about this, up to this point they are saying: That is a good thing. We want to know if somebody here has talked to a terrorist because we want to be kept safe.

Well, not only are we shifting the database out of the NSA over to the telephone companies, which means our response time is going to be delayed—let me remind everybody that whether we search the database at NSA or whether we search the database at the telephone company, we first have to go to the FISA Court and get a court order that says: You have the authority to do this based upon what you have presented the court.

Now we have to go to the telephone companies, and in a timeframe that is conducive to them, they are going to search their database for a known terrorist if well, well, well, well, well, well, well, we are relying on hundreds of companies to search their database in a timely fashion and get back to us because we are trying to be in front of a threat versus behind a threat. In front of a threat, it is called an investigation.

When we thwarted the New York City subway bombing, we were in front of the threat. That was intelligence. When we reacted to the Boston Marathon, that was an investigation led by the FBI, not the NSA.

So when you inject this new requirement for a friend of the court—and I would disagree with my colleagues. This is not a voluntary thing for the FISA Court. It is something that is available to the FISA Court today if they choose to have somebody come in to counsel them on something. This is mandatory. In the legislation, it says ‘‘shall.’’ The court shall set up a panel. The court shall choose a friend of the court. A friend of the court is not there to facilitate a timely processing of information.

Let me remind everybody that we are dealing with the safety of the American people. They always stress this at the end of the conversation: We want the confidence and trust to be rebuilt that we are protecting our homeland. If you are moving a database, you are making it slower. Now you are setting up a mechanism inside to slow it down even more.

What we are doing is sanitizing from intelligence gathering to investigations. Nobody knows how long it is going to take from the time we present the FISA Court with a foreign terrorist’s telephone number before we actually complete a search process within this new database. I happen to be the one behind a 12-month transition versus a 6-month transition, and it was all stimulated off of exactly the same person whom Senator BLUMENTHAL or Senator WYDEN quoted. They said the Director of the NSA said: We think we can do this in 6 months.

Well, I am telling you, if I am the general public in America and I am concerned about my safety and the people who are supposed to be protecting me say ‘‘I think I can do this in 6 months’’—I would like somebody to say ‘‘I am absolutely 100 percent sure I can do it in 6 months.’’ But they think they can do it in 6 months. There is the reason for a year. There is the reason for a longer transition period.

If privacy were really the concern—and nobody has come down and said: I want to protect the privacy of the American people. Let me point out a couple of things.
June 2, 2015

CONGRESSIONAL RECORD—SENATE

S3433

No. 1, we didn’t collect anybody’s name in this program. It is hard to intrude on somebody’s privacy when you didn’t collect their name. We collected the number, the date of the call, and the duration of the call. That is it. Anything that turns into an investigation is the Federal Bureau of Investigation going to a court and saying: We have to have more information because we know the President of the Senate is a potential threat to us. And then intervention can come and find out, such as his identity and anything else that might be part of the investigation. But from the standpoint of the NSA, those are the only things we have—a telephone number, a date, and the duration of the call.

If privacy is the concern, I don’t think we have breached it. As a matter of fact, since this program has been in existence, there has not been one case of a breach of anybody’s privacy—not one. If they were truly concerned about privacy, they would be on the floor today with a bill abolishing the CPFPB, which is a government agency, a government entity that collects every financial transaction of the American people by name, by date, by amount, by transaction. But they are not down here doing that. Why? Because they don’t like the fact that the FISA Court operates in secret. They don’t think there should be classified or top-secret documents. They believe everything should be transparent.

Well, let me say to my colleagues, my friends from the American people that we have done more over the last month to destroy the capacity of this program because of the debate we have had. There is not a terrorist in the world now who doesn’t understand that using a cell phone or a land line is probably a pretty bad thing. It probably puts a target on their backs. We have done a great job of chasing people to alternative methods of communication, and I would suggest to you that is not nearly as safe a thing, maybe we should have had this debate in secret simply so we wouldn’t give them a roadmap as to what we do.

Therein lies the reason that there are some things on which I think there is a determination made by the executive branch and by the legislative branch and I think in many cases at the dining room tables around America where Americans say: You know, you don’t need to share everything with me. I am tired of hearing things on the nightly news that I think shouldn’t be discussed. This probably happens to be one of them because it doesn’t make us more safe, it makes us less safe.

I will end the same way Senator Blumenthal did. People want to believe—question mark. I think people want to believe we are doing everything we possibly can to strengthen our national security, to eliminate the threat of terrorism here and abroad. My fear, quite frankly, is that this bill doesn’t accomplish that.

Again, I have deep affection for those whose names are on the bill and for what they believe is the intent. But I think that at the end of the day the only responsible thing to do right now is to accept three amendments—one, a substitute, and two first-degree and a second-degree amendment.

Let me say briefly that the substitute incorporates two changes. One change is that the telephone companies would be required to notify 6 months in advance of any change in the private wire retention program—in other words, how long they hold the data. I have received calls from both big telecom companies today, and they have both said: We have no problem with that.

The second one would have the Director of National Intelligence certify at the end of the transition period that technologically we can make the transition. I don’t find anybody who has really language. Clearly, that is the biggest difference we have. I would say to my colleagues that you either vote for the amendment or you vote against it. If you vote for it, you will delay the time it will take for us to connect the dots between the NSA’s between the telephone number and a domestic telephone number they might have talked to. If that doesn’t bother Members and it doesn’t bother the public, I am all for giving the American people what they want. But I think most American citizens sit at home and say: You know, the faster you do this, the safer I am. I have a responsibility first and foremost to the American people. They are willing to trust the NSA relative to a transition time that is sufficient to accomplish the transition.

Let’s err on the side of caution. Let’s do it at 12 months. If they can do it sooner, then let them petition us, Congress can pass it, and we will turn to it sooner. But let’s get not to 6 months and be challenged with not being ready to make that transition.

The last one is a change to amicus language. Therein lies the reason that there are some differences we have. I would say to my colleagues that you either vote for the amendment or you vote against it. If you vote for it, you will delay the time it will take for us to connect the dots between the telephone number and a domestic telephone number they might have talked to. If that doesn’t bother Members and it doesn’t bother the public, I am all for giving the American people what they want. But I think most American citizens sit at home and say: You know, the faster you do this, the safer I am. I have a responsibility first and foremost to the protection of the American people. It is in our oath.

I also share something with the Presiding Officer and my colleagues who are here—to protect the rights and liberties of the American people. And as the chairman of the Intelligence Committee, I think we have in any way infringed on that.

I am now in year 21. I have come a lot closer to the line than I ever dreamed when I came to Congress in 1995. But I also never envisioned an event as horrific as 9/11. I never envisioned an enemy as brutal as ISIL or Al Qaeda or the Houthis. I could go on and on.

What has changed since 9/11? On 9/11, we had one terrorist organization that had America in its crosshairs. Today, we have tens to twenties of organizations that are offshoots of terrorist organizations that would like to commit something right here in the United States. The threat is much more intense; it has become more. We are on the floor today talking about taking away some of the tools that have been effective in helping us thwart attacks. It is the wrong debate to have, but we are having it.

I would only ask my colleagues to show some reason. Extend by 6 months the transition period. Make sure it doesn’t take longer to search these databases. Make sure we are ready for the telephone companies to carry out the searches because there is one certainty on which I think I would find agreement from all of my colleagues here: The terrorists aren’t going away. America is still their target. No matter what we say on this floor, we are still in the crosshairs of their terrorist acts.

Only by providing the intelligence community and the law enforcement community the tools to carry out their job can they actually fulfill their obligation of making sure America is safe well into the future.

I yield the floor.

The PRESIDING OFFICER (Mr. Cruz). The Senator from South Dakota?

MR. THUNE. Mr. President, I hope our colleagues in the Senate and the American people are listening to this discussion because there isn’t anything that is more important than defending our country. The debate we are having in the Senate today is really about the tools our intelligence community uses to prevent terrorist attacks.

As we look at and discuss the legislation in front of us, I think it is very important that we not forget we are living in dangerous times. This is the most dangerous time, literally, since 9/11 in terms of the terrorist activity that is out there. As the Senator from North Carolina pointed out, we have a big bull’s-eye. The United States and people in this country, the things we believe in—the terrorists would love nothing more than to be able to take out and destroy, through some terrorist act, Americans and American interests. So I think it is very critical.

The Senator from Indiana did a great job. I know the Senator from Indiana is going to speak here on the subject in a few minutes. But I hope everyone listens carefully because we are on the cusp of doing something that does weaken the very tools that have been used, the very capabilities that have been used to prevent those terrorist attacks.

The ironic thing about it, as you frame this up, you look at the threats that are out there, the dangerous times in which we live, and the success of these programs and how effective they have been in the past at preventing a terrorist attack, and what is being
talked about are potential abuses, hypothetical examples of how these programs could be abused, but they haven’t been. The fact is, they haven’t been.

We have a long period of time now in which to examine the effectiveness of these tools relative to the arguments that are being made about their abuse. They just don’t exist. There isn’t a documented case, in the time these tools have been in existence, of anybody’s privacy being breached.

So it is very important that we look at these issues in light of what we are up against and what our No. 1 responsibility is; that is, defending Americans and Americans’ interests. And this discussion is critical to that.

THE ECONOMY

Mr. President, I wish to speak on another subject this morning, and that has to do with the headline of the New York Times from Friday morning of last week, which I thought was pretty grim, which is: "U.S. Economy contracted 0.7% in First Quarter." Let me repeat that. Not only did our economy fail to grow in the first quarter of 2015, it actually shrank.

That is pretty discouraging news for millions of Americans still struggling in the Obama economy, and the Obama administration didn’t offer them any consolation. Too often the administration has met stories of economic woe with excuses: uncertainty in the eurozone, not enough foreign demand, the Japanese tsunami, too much snow, too many congressional Republicans, and of course the Obama administration’s favorite excuse, the Bush administration.

This time, among other things, the administration is blaming the measurements themselves. The administration claims the Bureau of Economic Analysis is not accurately measuring economic growth from quarter to quarter. Now, of course, the Department of Commerce should always be looking for ways to modernize our measurements and adjust for seasonal changes, but no arithmetical sleight of hand can disguise the fact that our underlying economy is so weak that isolated events can shut down economic growth altogether and actually push our economy into the red.

Economic growth has averaged an abysmal 2.2 percent under this administration, the lowest rate of the postwar period. That is one of the weakest economic recoveries in the past 70 years. If the Obama recovery had met the average economic growth experienced in all post-World War II recoveries, our economy would be $1.9 trillion larger than it is today.

If you look at the President’s record, it is easy to see why our economy is still sputtering along: a failed $1 trillion stimulus, $1.6 trillion in new taxes, the President’s health care law, which raised premiums for families and increased costs for small businesses, 2,222 new regulations costing more than $653 billion in new compliance costs, a Federal debt that has doubled on the President’s watch, a financial reform bill that has overreached and is stifling community banks and lending across the country, and a runaway EPA that wants to increase electricity rates on families who are already struggling with stagnant wages and now—now—wants to regulate ditches and ponds in farm fields across the country.

All of this has led some economists to wonder if 2 percent growth is the new normal. If it is, it is very bad news for America’s future. As the CBO director has said, the differences between 2.5 percent growth and 3.5 percent growth would have a major impact on the quality of life for low- and middle-income families.

If our economy grows at a rate that is just 1 percentage point faster than what is projected, we will have 2 million more jobs and average incomes will be $9,000 higher. Average incomes would be $9,000 higher if we grow just 1 percentage point faster than what is projected. For a lot of Americans, that nine-thousand-dollar difference between buying your home and renting one. It is the difference between being able to send your kids to college or forcing them to go deep into debt to pay for their education. It is the difference between working part time and being forced to work well into old age.

Additionally, the CBO estimates that for every additional one-tenth percent increase in economic growth, it reduces our deficits by $300 billion over the next 10 years. That means an additional percentage point in economic growth will reduce our deficits by $3 trillion over the next 10 years, and that in turn—reducing deficits—would further enhance economic growth.

The good news is that things don’t have to stay that way. We can enact pro-growth policies that will return our economy to a more prosperous path in the 21st century. According to former CBO Director Deloache, the differences between 2.5 percent growth and 3.5 percent growth would have a major impact on the quality of life for low- and middle-income families.

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Senate Republicans have laid out a number of policies to help grow the economy and open up opportunities for low- and middle-income Americans. We proposed energy policies that will expand domestic energy development and will help drive down energy prices. We are advancing trade policies that will help create more opportunities for American workers here at home by increasing the market for U.S. goods and services abroad. We have proposed tax reform that will simplify our outdated Tax Code and make our businesses more competitive, which will open up new jobs and opportunities for American workers. We have laid out entitlement reforms that will keep promises to our seniors while protecting our economy by reducing our long-term deficits. We are pushing for regulatory reforms that will rein in the out-of-control government bureaucracies that are stifling economic growth.

Years and years of government over-spending, burdensome taxation, massive government programs—many of which don’t work—and excessive regulation have taken their toll on our economy, but we can still undo that damage for generations. America has held out the promise of hope and opportunity, and Republicans are committed to ensuring it does so again. We invite
our colleagues to join us because we can have a better, brighter, and more prosperous future for future generations of Americans by changing directions, changing the policies, doing away with the regulations, the overreaching government that has made it so difficult for so many Americans to get ahead.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Mr. President, we are fortunately moving forward on this issue of extreme importance to the security of the American people. These are necessary procedures we should take to do everything we can to ensure our safety, to publicly discuss and debate the issue of terrorist threat and the measures the people’s government is taking to defend our country and to defend each individual American from being a victim of terrorism.

As chairman of the Intelligence Committee, just related, the threat to our certain security and to our safety has never been stronger, never been more threatening, with the proliferation of terrorist organizations, the unfortunate proliferation of the internet, and the social media being used through social media to any number of American citizens—and those who may not be citizens but are residing in this country—to take up arms or to create a bomb or bring harm to Americans in the name of support for jihad, in the name of ISIS, in the name of Al Qaeda, in the name of support for the extreme fundamentalist activities of terrorists that are prevailing not only through the Middle East but affecting the world in various places.

We know through intelligence gathering and through public statements, the United States has been put in the crosshairs. “Kill Americans, no matter how you do it, take it up. We will learn today, we haven’t learned already.” Something that has just come across the wires of someone who was attempting to do just that, and we just see more and more references to these types of attacks.

Unfortunately, we are in a period of time when one of the methods we had to try to detect these threats is no longer in operation. It is not in operation because the authorization for going forward with this program, described as section 215 of the PATRIOT Act—the collection of raw telephone numbers, not anybody’s name but raw telephone numbers—that we could use as a base to determine whether, from a foreign source, a known terrorist or someone connected to a terrorist organization is trying to somebody in the United States. That is the program. Unfortunately, that program is dark. It is shut down. It shut down at midnight Sunday.

The program was shut down because we could not achieve support for even a minimum extension of time for which to better understand the program, to better debate and discuss the program, to make adjustments necessary to ensure that Americans’ privacy was not being breached. Several requests were made and, unfortunately, one Member, exercised his right to say no to an unanimous consent request, and we were in a position where we had to ask for concurrent processes and we have to go through to achieve a vote. But, that vote was rejected time after time after time. So on the basis of one Member’s objection, we have what I believe, what many believe, and I think now that we have been able to disclose what it is believe is a necessary tool that ought to be in place.

This program ought to be in place for the very purpose of doing everything we can to prevent another 9/11, to prevent something much worse than 9/11, which would involve a 9/11 type of action coupled and married with a weapon of mass destruction. Where an attack in New York would not result in 3,000 in casualties, it would potentially result in 3 million casualties or even more or something concocted by a small group of people who would shoot up a shopping mall or rush into an elementary school or just simply take down a subway system or an individual attack by someone with a knife or an ax or a gun.

One of the essential programs we have had that has been successful has been under attack in terms of breach of the privacy of American citizens. I think it has been made clear in the last few days that there has been no abuse of this program and that no one’s privacy has been breached. The only allegation that holds true is that it has the potential to breach someone’s privacy. Over the years, there has never been documented abuse. No one’s privacy has been breached. To shut down a program with that kind of record on the basis that something could happen, that government could use this, I know resonates with a number of people in the United States. I really don’t blame them.

This current administration’s policies have created great distrust among the American people as to their leadership, as to their operations, as to their policies.

When we look at what has taken place with the IRS, definitely breaching people’s privacy for political purposes, we were not Fast and Furious and the cover-up that has taken place in Benghazi, with the administration refusing to stand up and take responsibility for not responding adequately and changing the narrative and rewriting the intelligence. And when we look at Fast and Furious and the agency responsible there, I fully understand not just the frustration but the anger that American people have and the distrust they have.

One of the most difficult issues those of us in the Intelligence Committee have had to deal with is that when there are descriptions of policies that are implemented in terms of providing for an intelligence gathering and necessary response to prevent terrorist attacks, that information is classified. So when we see the program being misrepresented and described as something that it isn’t, we don’t have the ability to respond. We can’t go to the press and breach our oath to secrecy. We do not and cannot release classified material.

So while we now are in a position of having to unclassify this material, we had to understand that everything we say is not only listened to by the American people in an attempt to ensure their privacy is not being breached—and that this is an essential tool to help prevent terrorist attacks. Terrorist groups know everything that is being said and done, and they will make behavioral changes. They will make changes in terms of how they communicate.

So the program is being compromised by the very fact that we have had to go to the floor and addresses and release information as to what it is to help assure the American people that, in fact, what has been said about the program is simply false.

I have been on the floor several times related to that issue, using the quotes of what has been said by Members on this floor—particularly one Member. That is blatantly false. It is a blatant misrepresentation of what the program is. Now, I am not questioning their motivations, but I know the facts. I have been a part of the work and I know the facts. We all want to do is clarify so that the public has the facts and they can make their own determinations. We make a valid case that privacy is not breached. If someone comes to the conclusion that they don’t trust what we say, don’t believe what we say or don’t agree with what we say, that is their decision. All I want is for them to be able to say to the American people that when they make that decision, it is based on fact and not based on what has been misrepresented.

That is why I took the actual words stated on this floor relative to the program—which I believe misrepresented the program—and challenged them. I challenged them with the factual information. I am not going to repeat them. That is a matter of record.

We now are at the point, however—because I am not questioning the individual’s decision in terms of whether he is for or against or wants to support or not support. All I want to do is clarify so that the public has the facts and they can make their own determinations. We make a valid case that privacy is not breached. If someone comes to the conclusion that they don’t trust what we say, don’t believe what we say or don’t agree with what we say, that is their decision. All I want is for them to be able to say to the American people that when they make that decision, it is based on fact and not based on what has been misrepresented.

That is why I took the actual words stated on this floor relative to the program—which I believe misrepresented the program—and challenged them. I challenged them with the factual information. I am not going to repeat them. That is a matter of record.

We now are at the point, however—because I am not questioning the individual’s decision in terms of whether he does or doesn’t do or to clarify with the House of Representatives how we best can coordinate this process and come up with a good solution to the issue—where, procedurally, we only have two options.

One option is essentially to do nothing. The program does not secure the votes to be reauthorized, and that program is taken off the books and is no longer there. In my opinion and in the opinion of many, that makes us more vulnerable. That gives us less access to be able to stop a terrorist attack.
The second option is to support an effort that was passed by the House of Representatives, the USA FREEDOM Act, which I wish I could say addressed the issue and doesn’t compromise the program. But it severely goes against what this program attempts to do. It completely closes the program to the point, where I am not even sure the program can exist under the provisions that have been enacted by the House of Representatives.

That very experienced and trustworthy individuals who don’t have to salute the Commander in Chief and can give their own unbiased opinions on this came before our Intelligence Committee and basically said that with the structure of the USA FREEDOM Act, you might as well not have the program in it because it will take down the program. There are a couple of major issues here that these amendments try to address but don’t technically address. I am going to be supporting those amendments. I think they make a bad piece of legislation a little bit better. But I have real questions as to whether it addresses the problems that really render the program inoperable.

The third is simply to think that the laying of protection and judicial oversight, executive oversight, and congressional oversight that take place to make sure our people don’t abuse this or use it for the wrong purpose.

So here we have a program that is accessible only by a very limited number of people at the National Security Agency, overseen by layers and layers of lawyers and legal experts and others to make sure it is not abused in any way. They have been successful because there has not been one case of an abusiveness process against anybody’s personal liberties. There are six layers of oversight in place in places that they can even take it to the court and say: We think we have a problem here. We think there is a suspicion—a reasonable suspicion—that a phone number may be associated with a terrorist organization.

Then the court looks at that and says: We think you have something here. But let’s check it further before you go this big. So the FBI can then look into this in greater detail to determine whether this is a live terrorist act.

As Senator Burr said, it works on the negative side, also, and there are some examples of live situations—as in the Boston bombing and so forth—that proved the negative. It proved there wasn’t a conspiracy. It proved that just two people were involved in this. There were no connections. So they didn’t have to waste a lot of time trying to query and pull up a bunch of information about whom they had talked to, and the police were then allowed to focus their efforts on Boston and what then took place in Boston and not throw the alarm out to New York City. Then, they were on the way to New York City—and shut down New York City, causing panic and causing scaring and alerting police and so forth. They were able to prove the negative of that. So it works both ways. But without that retention, we are not going to be able to accomplish that.

So I don’t understand how the USA FREEDOM Act is a better way of protecting privacy and a better way of dealing with the fact that there is of the essence here. Instead of querying one area, we now have to go to multiple telephone companies, and there are 1,400 in the country. Let’s say there are 100 major companies or let’s say there are 10 major companies. We have to go to all 10 or to all 100 or more in order to find out whether in their database that telephone number exists. Time is of the essence here. If you are detecting a terrorist attempt and you would be able to take in all kinds of situations, you have to waste a lot of time trying to get to the point where you think you really have something here, the act could have already been undertaken.

So those two issues, I think, are major problems with the FREEDOM Act.

The third is simply to think that the layers of protection and judicial oversight, executive oversight, and congressional oversight that take place to make sure our people don’t abuse the program through NSA—every telephone company has to insert that same level of oversight, and they simply won’t be able to do it. It will take months. It takes months to get background checks and security clearances. Many telephone companies don’t have the capacity to do that. They don’t have the financial ability to do that. The irony is that individuals’ privacy is more at risk by the telephone companies holding the numbers than the NSA holding the numbers. We have been more and more inter-related, we have not been able to convince the American people of that partly because the program has been so distortedly reported. But this as the saving grace to protect everybody’s privacy by turning it over to the phone companies instead of turning it over to NSA just doesn’t add up.

It is going to be very difficult for me and for many of my colleagues to think—while many of us are going to support these very limited amendments, which we don’t even know the House will accept, it does not resolve the issue and does not solve the problems we are dealing with here and, in effect, could render the program inoperable.

I think when Members are making decisions about which option to choose, it is a devil’s choice. Is something better than nothing or is something really nothing and you end up with nothing and nothing? None of us wants our country to be put into that position, but that is where we are. If we are not able to secure passage of these amendments to improve this and the House will accept, it or the House rejects it, then the program will stay inoperable.

I think the American people will then be picking up their phones and writing and emailing us and urging us to pass something that we think this program, now that they know more about it, now that they know that much of what has been said irresponsibly by Members of this body and others is not true. Once they learn more about it, I think they would be more inclined to take a new look, and they will take a new look.

The arguments simply do not hold up because they are not factual. Now that we have been able to release some of this classified information and now that people have the ability to understand, if they so choose—to take another look at this and the proof we have provided relative to the success of the program and relative to the need for the program.

That is what is before us. There has been a constitutional argument here regarding the Fourth Amendment, and it is important to note: “The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches.” Unreasonable. I think we have proven this is not an unreasonable search. It does not identify anybody’s name. Only after a court approves and gives the NSA the authority to go forward, similar to seeking the search warrant of a judge of a just-in-time examination and the suspected criminal activity taking place in every jurisdiction across America, every town, every police department going to court. We tune in to “Law & Order” and “CSI” and all these programs and we see exactly how this will work. You can’t go burst into a house without a warrant. You cannot collect information without a warrant.

The case being made that there is a violation here of the Fourth Amendment simply has not held up with legal authorities and I find this very interesting. This was just pointed out to me. I am not a constitutional scholar. I took constitutional law in law school
June 2, 2015

CONGRESSIONAL RECORD — SENATE

S3437

and probably have forgotten half of it. But I do carry it around. I do look at it, but I am not a scholar. But I think it is pretty clear and pretty interesting that article 1, section 5, talking about the legislature, says—

Each House shall keep a Journal of its Proceedings, and from time to time publish the same—

It is on our desks here. Every day, our Congressional Record, these are our proceedings—excepting such Parts as may in their Judgment be suppressed.

That is why we have an Intelligence Committee. There are some things that require secrecy. Unfortunately, we have had to unclassify information to try to let the public know that what they have been told by their government, elected members of their government, is breaching their privacy, which is not true. We have a constitutional right as a body to make a decision and a judgment requiring secrecy. On this program, we require secrecy because once our adversaries know what we are doing, we go in a different channel to change what they are doing and it will not be worthwhile anymore.

Also, relative to the statements made by the Senator from Connecticut, who opposes the amendment on the amicus issue, it is my understanding that the Administrative Office of the United States Courts, Director Duff, sent a letter to the House asking for their concerns about the amicus issue to be placed in the bill. That was turned down by the House, unfortunately.

The letter says, “We respectfully request that, if possible, this letter be included with your Committee’s report to the House on the bill.”

It was sent to the chairman of the Permanent Select Committee on Intelligence, United States House of Representatives. It is in regard to H.R. 2048, the USA FREEDOM Act.

Mr. President, I ask unanimous consent that the letter I am referencing be printed in the Record.

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

Review (collectively “FISA Courts”), but did not express views on core policy choices that the political branches are considering regarding intelligence collection. In keeping with that approach, our views on aspects of H.R. 2048 that bear directly on the work of the FISA Courts and how that work is presented to the public. We sincerely appreciate the cooperation and the leadership of all the congressional committees of jurisdiction to listen to and attempt to accommodate our perspectives and concerns.

We respectfully request that, if possible, this letter be included with your Committee’s report to the House on the bill.

We have three main concerns. First, H.R. 2048 proposes a “panel of experts” for the FISA Courts which could, in our assessment, impair the courts’ ability to protect civil liberties by impeding their receipt of complete and accurate information from the government (in contrast to the helpful amicus curiae approach contained in the FISA Improvements Act of 2013 (“FIA”), which was approved in similar form by the House in 2014). Second, we continue to have concerns with the prospect of “public summaries” of FISA Court opinions. As currently written, these summaries are not released to the public.

Third, we have a few other specific technical concerns with H.R. 2048 as drafted.

With the advent of a new Congress and newly proposed legislation, it seems helpful to restate briefly some key attributes of the work of the FISA Courts.

The vast majority of the work of the FISC involves individual applications in which experienced judges apply well-established law, in a set process that is the unique—form, a process that is not dissimilar to the ex parte consideration of ordinary criminal search warrant applications. Review of entire programs of collection and applications involving bulk collection are a relatively small part of the docket, and applications involving novel legal questions, though obviously important, are rare.

In all matters, the FISA Courts currently depend on—and will always depend on—prompt and complete candor from the government in providing the courts with all relevant information because the government is typically the only source of such information.

A “read copy” practice—similar to the practices employed in some federal district courts for Title III wiretap applications—wherein the government provides the FISA with an advance draft of each planned application, is the major avenue for court modification of government-sought surveillance. About a quarter of “read copies” are modified or withdrawn at the instigation of the FISC before the government presents a final application—in contrast to the overwhelming majority of formal applications that are approved. Because modifications at the “read copy” stage have addressed the Court’s concerns in cases wherefinal approval was required.

The FISC typically operates in an environment where, for national security reasons and because of statutory requirements, time is an atavistic and collateral litigation, including for discovery, would generally be completely impractical.

At times, the FISA Courts are presented with challenging issues regarding how existing law applies to novel technologies. In these instances, the FISA Courts could benefit from a conveniently available explanation from a highly qualified non-governmental source. Congress could assist in this regard by clarifying the law to provide mechanisms for this to occur easily (e.g., by providing for precleared experts with whom the Court can share and receive information to the extent it finds necessary).

The “Panel of Experts” Approach of H.R. 2048

H.R. 2048 provides for what proponents have referred to as a “panel of experts” and would require the bill to include a group of at least five individuals who may serve as an “amicus curiae” in a particular matter. However, unlike a true amicus curiae, the FISA Courts would be required to appoint such an individual to participate in any case involving a “novel or significant interpretation of law” (emphasis added)—unless the parties to the case request that the appointing individual is not appropriate. Once appointed, amici are required to present to the court, “as appropriate,” legal arguments in favor of privacy, information about technology, or other “relevant” information. Designated amici are required to have access to “all relevant” legal precedent, as well as certain other materials “the court determines are relevant.”

Our assessment is that this “panel of experts” approach could impede the FISA Courts’ role in protecting the civil liberties of Americans. We recognize that it is not appropriate to limit the intent of the drafters, but nonetheless it is our concern. As we have indicated, the full cooperation of rank-and-file government in providing the FISA Courts complete and candid factual information is critical. A perception on their part that the FISA process involves a “panel of experts” officially charged with opposing the government’s efforts could risk deterring the necessary and critical cooperation and candor. Specifically, our concern is that imposing the mandatory panel contained in subparagraph (i)(4) of proposed section 401 (in combination with a quasi-mandatory appointment process)—could create such a perception within the government that a standing body exists to oppose intelligence activities.

Simply put, delays and difficulties in receiving full and accurate information from Executive Branch agencies (including, but not limited to, cases involving non-compliance) present greater challenges to the FISA Courts’ role in protecting the national security interest in expeditious action and the security interest in the protection of civil liberties. A perception of the need to review the decisions of courts of appeals is anathema to the intent of the drafters, but nonetheless it is our concern. As we have indicated, the full cooperation of rank-and-file government in providing the FISA Courts complete and candid factual information is critical. A perception on their part that the FISA process involves a “panel of experts” officially charged with opposing the government’s efforts could risk deterring the necessary and critical cooperation and candor. Specifically, our concern is that imposing the mandatory panel contained in subparagraph (i)(4) of proposed section 401 (in combination with a quasi-mandatory appointment process)—could create such a perception within the government that a standing body exists to oppose intelligence activities.

We are on this point especially that we believe the “panel of experts” system in H.R. 2048 may prove counterproductive. The information that the FISA Courts need to examine—probable cause, exploitation of software vulnerabilities, and targeting procedures, and determine and enforce compliance with court authorizations and orders is exclusively in the hands of the government. To be sure, we would welcome a means of facilitating the FISA Courts’ obtaining assistance from non-governmental experts in unusual cases, but it is critically important that the means to achieve that end do not impair the timely receipt of complete and accurate information from the government.

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facilitates appointment of experts outside the government to serve as amici curiae and render any form of assistance needed by the court, without any implication that such experts would oppose the Intelligence Agencies’ proposals for the new national security programs. Hence, the “summaries” of court opinions that are not themselves released. The provisions in H.R. 2048 are similar and so are our concerns. To be clear, these provisions have been objected to in the Senate on the following technical points, our more fundamental concerns about the “panel of experts” approach would not be fully assuaged. Nonetheless, our staff stands ready to work with your staff to provide suggested textual changes to address each of these concerns.

Finally, although we have no particular objection to the requirement in this legislation of a report by the Director of the AO, Congress has identified the role of the AO’s role would be to receive information from the FISA Courts and then simply transmit the report as directed by the court. For the sake of brevity, we are not restating here all the comments in our previous correspondence to Congress on proposed legislation similar to these. However, the issues raised in those letters continue to be of importance to us.

We hope these comments are helpful to the House of Representatives in its consideration of this legislation. If we may be of further assistance in this or any other matter, please contact me or our Office of Legislative Affairs at 202-522-1700.

Sincerely,

JAMES C. DUFF,
Director.

Mr. ISAKSON. There is a lot more that could be said. We will shortly be voting on the amendments here. I probably said more than I should.

Mr. ISAKSON. Will the Senator from Indiana yield?

Mr. COATS. I am happy to yield.

Mr. ISAKSON. Mr. COATS.

Mr. COATS. I will be happy to yield.

Mr. ISAKSON. The one of the most important issues I have had to deal with during my term of service on behalf of our State and our country. The issue that has been a source of some debate is how to address the situation where the government has already decided that it cannot release the unredacted version of the opinion. The issue here is whether the government abuses or uses information that it is prohibited from releasing.

For the sake of brevity, we are not restating here all the comments in our previous correspondence to Congress on proposed legislation similar to these. However, the issues raised in those letters continue to be of importance to us.

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JAMES C. DUFF,
Director.

Mr. ISAKSON. The problem is that what has never had a case of a breach of privacy, that has more oversight than any other government, that involves all three branches of our government—the judicial, the legislative, and the executive—all with the intent of having something in place that can stop Americans from being hurt by our government. We have spent weeks arguing just to correct the record, when so clearly in front of us we are abuses by this administration that we are not putting attention to—the irony of that and the irony of the fact that every day we have more information about the scope of these potential terrorist attacks against Americans. Here we are releasing five known terrorist leaders from Guantanamo to a country. We are combing the world to find somebody that we do not want to retain them here, and we know they are going to go back. They are not going back to be baristas at Starbucks. They are not going back to do lawn work back home or start a microbusiness. They are going back to join the enemy attack against us. They are going back to the Taliban. They are going back to Al Qaeda. They are going back to do what they were arrested for in the first place.

How ironic and how uncertain our situation here is. We are putting our own. We are arguing over a tool that can help protect us instead of focusing on the real threat.

Anyways, I got worked up during the 6 days a number of times. I appreciate this opportunity to get a chance to clarify where we are. Hopefully, the American people are listening.

We have a momentous decision to make coming up here very shortly. I hope each of us will use not polls and not the public perception but, instead, even if H.R. 2048 were amended to address all of these technical points, our more fundamental concerns about the “panel of experts” approach would not be fully assuaged. Nonetheless, our staff stands ready to work with your staff to provide suggested textual changes to address each of these concerns.
decision on the basis of what is best for the American people, not about what is best politically, not what gets us past the next election, not what is pleasing to people who want to hear things back at home, not on any other basis than what is necessary to do everything we can to keep us safe from known terrorist attacks that are multiplying faster than we can keep up with across the world, and Americans are in the crosshairs. Our decision should be based on that and that alone. I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:59 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

USA FREEDOM ACT OF 2015—Continued

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. PORTMAN. Mr. President, I would like to inquire as to the order.

The PRESIDING OFFICER. The Senate is considering H.R. 2048 postcloture.

Mr. INHOFE. Mr. President, I ask that I be recognized.

The PRESIDING OFFICER. The Senator is recognized.

Mr. INHOFE. Mr. President, I know we have all had a chance to talk about this and the seriousness of what is now before us at this time. I look at the seriousness of this, and I listened to a lot of people standing on the floor and saying things that sound popular to people back home, and I have heard from some of the people in my State of Oklahoma, saying: They talk about the privacy problems and all these things that might be existing. Then I always think about my 20 kids and grandkids and think that they are the ones who are at stake.

This world we have right now is a much more dangerous world than it has ever been before. I look wistfully back at the good old days of the Cold War when we had a couple superpowers. We knew what they had—mutual assured destruction. It really meant something at that time. Now we have crazy people with capabilities, people in countries who have the ability to use weapons of mass destruction.

So right after 9/11 we formed the NSA. We have been talking about that down here. It is not perfect, but I think it is important at this last moment to point out the fact that a lot of lies have been told down here. I heard one person—I think two or three different ones talking about and making the statement that since the NSA procedure was set up on 9/11, that has not stopped one attack on America. I would like to suggest to you that a good friend of mine and a good friend of the Chair’s, General Alexander, who is a very knowledgeable person and ran that program for a while, said—and this was way back 2 years ago, 2013—information “gathered from these programs provided government with critical leads to prevent over 50 potential terrorist attacks that would have threatened countries around the world” and that the phone database played a role in stopping 10 terrorist attacks since the 9/11 attacks.

I was very pleased to hear from my good friend, Senator SESSIONS, a few minutes ago that a brand new poll that just came out of the field shows that almost two-thirds of the people in America want to go back and give back to the NSA those tools we took away 2 days ago.

Now we have a situation where we can talk about a few of the cases where major attacks on this country were stopped by the process we put in place after 9/11.

One was a planned attack in 2009. Najibullah Zazi was going to bomb the New York City subway system. The plan was for him and two high school friends to conduct coordinated suicide bombings, detonating backpack bombs New York City subway trains near New York’s two busiest subway stations; that is, Grand Central Station and Times Square.

Sean Joyce, the Deputy FBI Director, said that the NSA intercepted an email from a suspected terrorist in Pakistan communicating with someone in the United States “about perfecting a recipe for explosives.”

On September 9, 2009, Afghan-American Zazi drove from his home in Aurora, CO, to New York City, after he emailed Ahmed—that was his Al Qaeda facilitator in Pakistan—that “the marriage is ready.” That was a code that meant “We are ready now to perform our task.” The FBI followed Zazi to New York City and broke up the plan of attack, and they stated it was because of the email that was intercepted by the NSA that allowed them to do that.

How big of a deal is that? People do not stop and think about the fact that if you look at the New York City subway stations down there, we know that the average ridership of the New York City subway system during peak hours averages just under 900,000 people—that is, 900,000 people, Americans who are living in New York City.

What we do know is that when they came to New York City to perform their plan at Grand Central Station and Times Square, it was the NSA using the very tools we took away from them 2 days ago, and you wonder, how many lives would have been lost? If there are 900,000 riders on the subway and they are ready to do this at two stations, are we talking about 100,000 lives, 100,000 Americans being buried alive? That attack was precluded by the tools that the NSA that we took away from them just 2 days ago. Many more have not been declassified.

GEN Michael Hayden and GEN Keith Alexander, who are both former Directors of the NSA, and others have confirmed to me personally that at least one of the three terrorist attacks on 9/11 could have been avoided, and perhaps all three could have been avoided with the tools that we took away from the NSA right after 9/11, and also the attack on the USS Cole could have been prevented entirely.

So you have to stop and think, it is a dangerous thing to stand on the floor and say we have formed this thing in this dangerous world and it has not stopped any attacks on America. That is what we are faced with today.

I voted against the program the House passed that is going to be considered in just a few minutes. I felt it was better to leave it as we had it. Now that is gone. I look at it this way: I do support the amendments that are coming up. I do think the last opportunity will have will be the president we will be voting on in just a few minutes.

So let’s think about this, take a deep breath, and go ahead and pass something so we at least have some capability to stop these attacks and to stop information gathering who would perpetrates these attacks and then have time to put together a program that will be very workable and make some changes if necessary.

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

EXTENDING FISA PROVISIONS

Mr. LEAHY. It is unfortunate that we were unable to pass the USA FREEDOM Act before the June 1, 2015, sunset of sections 206 and 215 of the USA PATRIOT Act and the so-called “lone wolf” provision of the Intelligence Reform and Terrorism Prevention Act. Senator LEE and I both sought to bring up the USA FREEDOM Act well before the sunset date to avoid just this situation. Now that the roving wiretap, business records, and “lone wolf” provisions have lapsed, it is important that we make clear our intent in passing the USA FREEDOM Act this week—albeit a few days after the sunset. Could the Senator comment on the intent of the Senate in passing the USA FREEDOM Act after June 1, 2015?

Mr. LEE. Although we have gone past the June 1 sunset date by a few days, our intent in passing the USA FREEDOM Act is that the expired provisions be restored entirely just as they were on May 31, 2015, except to the extent that they have been amended by the USA FREEDOM Act. Specifically, it is both the intent and the effect of the USA FREEDOM Act that the now-expired provisions of the Foreign Intelligence Surveillance Act, FISA, will, upon enactment of the USA FREEDOM Act, read as those provisions read on May 31, 2015, except insofar as those provisions are modified by the USA FREEDOM Act, and that they will continue in that form until December 15, 2019. Extending the effect of those provisions for 4 years is the reason section 705 is part of the act.
Mr. LEAHY. I would also point out that when we drafted the USA FREEDOM Act, we included a provision to allow the government to collect call detail records, CDRs, for a 180-day transition period, as it was doing pursuant to Foreign Intelligence Surveillance Court orders prior to June 1, 2015. This provision was intended to provide as seamless a transition as possible to the new CDR program under section 101 of the USA FREEDOM Act. I thank the junior Senator from Utah for his partnership on this bill.

Mr. HATCH. Mr. President, our terrorist enemies continue to present a clear and present danger to our Nation’s safety. We must be able to thwart their plots and prevent future attacks. As the top Republican on the Senate Judiciary Committee after 9/11, I worked acrros the aisle to give our law enforcement and intelligence communities the authorities they need to keep us safe. Having served longer than any other Republican on the Intelligence Committee, I can personally attest to the critical importance of these authorities in combating real terrorist threats.

Given the extensive and effective privacy and civil liberties safeguards already in place, I strongly supported a clean reauthorization of the existing law. Unfortunately, such legislation could not gather sufficient support in today’s climate of misinformation about our efforts to stay one step ahead of our enemies. Contrary to the claims of its proponents, the so-called USA FREEDOM Act will hamper our ability to address serious terrorist threats. My concerns about this legislation were further enhanced when the Senate took up several of the amendments that represented modest changes needed to preserve our security. Accordingly, I voted against the bill because it will not provide the protections we need and will put our Nation at risk.

One of the fundamental flaws of the USA FREEDOM Act is its creation of unnecessary delays and impediments to our efforts to protect the American people. Under this legislation, telephone metadata—consisting of information like the number calling and the length of the call—would no longer be collected by the government but instead be retained by private communication service providers. Proponents of the bill argue that this move is necessary to protect privacy. This argument is unpersuasive, given that the data collected does not include the identities of the callers or the content of their communications. I opposed this approach because the bill lacks any requirement for these companies to retain this data for any length of time. Without such a requirement, the effectiveness of a search of telephone metadata would obviously be compromised.

One of the other major flaws of the USA FREEDOM Act is its amicus curiae provision, which would insert a legal advisor into the FISA COURT process to make arguments to advance privacy and civil liberties. Such an approach threatens to insert leftover activists into an incredibly sensitive and already well-functioning process, a radical move that would stack the deck against our law enforcement and intelligence communities. Given that previous law already provided intense scrutiny and oversight from the Justice Department, Congress, and the courts, this additional move is unnecessary and potentially quite dangerous.

The Senate’s action today undermines not only the operational effectiveness of one of our most critical tools to safeguard our national security. Going forward, I will do everything within my power to ensure that our law enforcement and intelligence professionals have all the tools they need to keep us safe.

Mrs. BOXER. Mr. President, Sunday night was just another self-inflicted crisis from Senator MCCONNELL and the Republican leadership. Playing politics with our national security is reckless. And allowing others to play politics with our national security, against the majority of the U.S. Senate and House, is not leadership.

The Republicans said, “Put us in the majority and we will govern responsibly.” They claimed there would be no more shutdowns, no more government by crisis. Yet, on Sunday night our intelligence professionals were left without the important tools they need to fight terrorism. And now Republicans are at it again—proposing amendments that would delay the process and leave us without these critical capabilities for even longer.

FBI Director Comey said that his Agency uses section 215 fewer than 200 times per year, but when the FBI uses that authority, “It is a game changer.” And the White House National Security Council’s Ned Price said that a sunset would result “in the loss, going forward, of a critical national security tool.”

I can’t believe Republicans would take us to the brink and put our country at risk. It is shamefu. The USA FREEDOM Act is supported by a wide, bipartisan majority in both Chambers. It passed the House with 338 votes. A little over a week ago, a clear majority of the Senate voted to proceed to this legislation. That still wasn’t enough. Senator MCCONNELL and his Republican colleagues blocked it from moving forward. On Sunday night, even more Senators did the right thing and voted in support of the USA FREEDOM Act. Mr. President, 77 Senators voted to proceed to a debate on the USA FREEDOM Act.

I want to thank my colleagues who worked tirelessly on this legislation, who reached out to the intelligence community, technology companies, and privacy and civil liberties groups to come up with a set of reforms that maintains the important balance between protecting privacy and keeping our country safe.

Mr. President, our terrorist enemies continue to present a clear and present danger to our Nation’s safety. We must be able to thwart their plots and prevent future attacks. As the top Republican on the Senate Judiciary Committee after 9/11, I worked across the aisle to give our law enforcement and intelligence communities the authorities they need to keep us safe. Having served longer than any other Republican on the Intelligence Committee, I can personally attest to the critical importance of these authorities in combating real terrorist threats.

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I want to thank my colleagues who worked tirelessly on this legislation, who reached out to the intelligence community, technology companies, and privacy and civil liberties groups to come up with a set of reforms that maintains the important balance between protecting privacy and keeping our country safe. It is not easy to get this level of support. The USA FREEDOM Act strikes an important balance between protecting our privacy and defending our country.

Senator J. c. c. t. P. A. c. H. T. A. R. I. O. M. Act by ending the bulk collection of Americans’ telephone records while still providing the ability for investigators to get the records in a more targeted manner. It would improve the transparency of the government’s surveillance activities by adding additional reporting requirements and giving private companies a greater ability to publically report when they receive requests for information from the FBI or NSA. And it would add a panel of experts to the FISA Court who can assist in providing additional points of view when cases involve significant or novel interpretations of the law.

We need to pass this bipartisan bill immediately and send it to the President, without amendment, to prevent another 60-day shutdown and further delay the intelligence community’s access to these important authorities.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. FRANKEN. Mr. President, thank you.

I rise today to urge prompt passage of the House-passed USA FREEDOM Act of 2015 and to urge opposition to the amendments offered by the majoritc minority. These amendments are unnecessary. They would weaken the bill in unacceptable ways, and they would only serve to prolong and deepen the uncertainty around the reform and continuation of important national security authorities.

The House-passed USA FREEDOM Act is measured, compromise legislation that is the result of lengthy negotiations that bring much needed reformed to some of our surveillance authorities, while safeguarding Americans’ rights while increasing the government’s accountability. I am proud to have worked with Senator DEAN HELLER of Nevada to craft the bill’s transparency provisions, which draw support from privacy advocates, the business community, and national security experts.

The USA FREEDOM Act works to end bulk collection programs that our intelligence community has told us are not effective in preventing terrorist attacks. At the same time, the bill makes sure our national security agencies have legal tools that are necessary to protect our Nation. Put simply, the USA FREEDOM Act of 2015 strikes the balance we need—making sure that our government can keep our Nation safe without trampling on our citizens’ fundamental privacy rights.

Of course, the public cannot know if we are succeeding in striking that balance if they do not have access to even the most basic information about our major surveillance programs. That is why my focus has been on the legislation’s transparency provisions. Under the provisions I wrote with Senator
Heller, the American people will be better able to decide for themselves whether we are getting this right. For all these reasons, the act has my strong support. And I am in good company. The House has passed it. The President is ready to sign it. We have the votes here to pass it. So what are we waiting for?

Senator McConnell has offered several amendments. And here is the problem: They deviate from the House bill without improving the legislation. At best, the result of adopting these amendments would be further delay, further negotiation, and a highly uncertain outcome.

Now that we have allowed the national security authorities at issue to expire, we simply do not know how the House would proceed if we sent them back a modified bill. Maybe that kind of risk and delay would be justified if these amendments improved the bill, but they do not. I would like to talk a little bit about why these amendments are both unnecessary and problematic.

The majority leader’s main substitute amendment makes two additions to the bill. The first is a requirement that electronic communications service providers notify the government if they plan to shorten the length of time they retain call detail records—records that the government may seek to query under the USA FREEDOM Act.

The fact is, based on how our country’s telecom infrastructure is set up, the government only goes to a handful of companies for call detail records, and those companies have told us they have business reasons for retaining records. Based on a long history of working with these companies—under these authorities, other authorities—the Attorney General and the Director of National Intelligence have told us the USA FREEDOM Act is fine as it is. There was a problem before the USA FREEDOM Act. And even with it, there is no guarantee that the government will be able to access all the data it wants. Of course, any legislation that goes into effect will need to be reassessed over time, but the whole idea of the legislation is to give the intelligence community the time they need to work through the issues.

The second change in the majority leader’s substitute amendment is a certification requirement asking the Director of National Intelligence to certify to Congress that the USA FREEDOM Act’s transition from bulk collection of call detail records to a more targeted approach is operationally effective.

To be clear, this certification, whether issued or not, in no way affects the effective date of the bill or the timeline for the transition. It has no statutory limitations. It is a wholly unnecessary deviation from the House-passed bill. If there is a problem with the operational effectiveness of the transition, you can bet that the Director of National Intelligence is going to let us know, and I would certainly hope and expect that we would all be ready to listen and work with him at that point. Again, this is the kind of thing that should not risk derailing the bill now.

The majority leader has offered other amendments that seek to weaken the USA FREEDOM Act and make it more difficult to transition. One amendment would lengthen the time before the bill with its various reforms goes into full effect. That would do nothing but unnecessarily extend bulk collection programs. NSA has told us they can transition in 6 months, as provided for in the USA FREEDOM Act. There is no justification for extending the timeline now.

Another amendment would render ineffective one of the safeguards for Americans’ privacy rights and civil liberties in the bill. This amendment would weaken the role of outside, non-government experts in participating in certain cases before the FISA Court. That is an unacceptable change to a provision that has already been the subject of bipartisan negotiations and compromise.

That is really the thing to remember—this is a compromise bill. In writing our transparency provisions, Senator Heller and I had to compromise a great deal. We didn’t get everything we wanted when we initially negotiated these provisions last year, and we had to compromise further still this year. I am disappointed that the bill doesn’t include all of the requirements that were agreed to in workshops with the intelligence community and that were included in the Senate bill last Congress. But that is the nature of bipartisan compromise. And I recognize that right now we need to start by taking one big step in the right direction, and that is by passing the USA FREEDOM Act.

Down the road, we will have the opportunity to revisit these issues as needed. For my part, I am committed to pushing my colleagues to revisit the transparency provisions. We still have work to do, particularly with regard to section 702, which has to deal with the collection of communications of foreigners abroad. But, again, right now it is clear what needs to happen in this Chamber. We need to pass the House-passed USA FREEDOM Act without further amendment. If we do that, we can get these authorities back up and running. That is exactly what we should do.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. Leahy. Mr. President, I wish to thank the Senator from Minnesota for his words. The press and everybody else does not see the hundreds of hours of negotiations between Democrats and Republicans, Senators and Members of the House of Representatives working on this. The Senator from Minnesota is one of those who worked very hard to get us to the point where we are today. It has not been easy. Nobody got everything they wanted. I didn’t get everything I wanted. Senator Lee didn’t get everything he wanted. The Senator from Minnesota didn’t get everything he wanted. But because of the work of people such as the Senator from Minnesota, we have a far better piece of legislation, and it is probably why it passed the Senate. There is no other body, with Republicans and Democrats agreeing. In fact, that is why we have to reject these amendments and we have to cleanly pass the House-passed USA FREEDOM Act.

Again, I would like to emphasize to Senators how much time has gone into this by key Republicans and key Democrats in the House and key Republicans and key Democrats in the Senate. We have worked behind the scenes for days, weeks, and months to get here.

Cleanly passing the House-passed USA FREEDOM Act is the only way to avoid prolonging the uncertainty that the intelligence community now faces because of the lapse in the three authorities this past Sunday. I think both Senator Lee and I would agree the lapse in authorities was entirely avoidable. The Senate majority has put the intelligence community and the American people in this position because of a manufactured crisis, procedural delays.

Understand that any changes in this bill—as I have stated and as the distinguished senior Senator from California has indicated, as well as others, any changes in the bill will force it back to the House, and there is absolutely no guarantee that the House will accept the Senate’s changes and pass the new bill. In fact, the House Republican majority leader said this morning that it would be a challenge to pass any bill that came back with changes. The Republican chairman of the House Judiciary Committee put it more bluntly. He warned that any amendments would likely make the sunsets permanent. Keep that in mind.

We can pass some amendments we may not think are major, although some of us think they are, but by passing them, all those who have wanted to give the tools to the intelligence community—they are making the sunsets permanent if we pass these amendments.

So I urge Senators to oppose all of the amendments that are being offered, the majority leader’s substitute amendment, Senator Blumenthal, Senator Franken, and others have spoken about the reasons to oppose the FISA Court amicus amendment and the substitute amendment. I agree with them wholeheartedly, and I thank them for their leadership. As I said earlier to others, Senator Blumenthal used his experience as a former attorney general, former U.S. attorney to work on the amicus provision.

I urge Senators to oppose the amendment which would leave the current bulk collection program in place for a full year. Extending the current bulk collection program for a full year...
Mr. DURBIN. I announce that the Senator from Virginia (Mr. WARNER) is necessarily absent.

The PRESIDING OFFICER (Mr. LANKFORD). Are there any other Senators in the Chamber desiring to vote? The result was announced—yeas 42, nays 56, as follows:

[Rollcall Vote No. 198 Leg.]

YEAS—42

Alexander....Crapo....Perdue....Portman

Barrasso....Fischer....Risch

Blumenthal....Heitkamp....Paul

Booker....Heller....Peters

Boxer....Hirono....Reed

Brown....Kaine....Reid

Cassidy....Klobuchar....Sanders

Cardin....Lankford....Schatz

Carper....Leahy....Schumer

Casey....Lee....Scott

Coons....Manchin....Shaheen

Cruz....Menendez....Stabenow

Daines....McCaskill....Sullivant

Durbin....Merkley....Tester

Enzi....Mikulski.... Udall

Feinstein....Morgan....Warren

Franken....Murdie....Whitehouse

Gardner....Murphy....Wyden

Cotton....McConnell....Wicker

NAYS—56

Baldwin....Gilibrand....Murray

Benner....Heinrich....Nelson

Blumenthal....Heitkamp....Paul

Booker....Heller....Peters

Boxer....Hirono....Reed

Brown....Kaine....Reid

Cassidy....Klobuchar....Sanders

Cardin....Lankford....Schatz

Carper....Leahy....Schumer

Casey....Lee....Scott

Coons....Manchin....Shaheen

Cruz....Menendez....Stabenow

Daines....McCaskill....Sullivant

Durbin....Merkley....Tester

Enzi....Mikulski.... Udall

Feinstein....Morgan....Warren

Franken....Murdie....Whitehouse

Gardner....Murphy....Wyden

Cotton....McConnell....Wicker

The amendment (No. 1451) was rejected.

The PRESIDING OFFICER. The majority leader.

UNANIMOUS CONSENT AGREEMENT—H.R. 1735

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the closure motion with respect to the motion to proceed to H.R. 1735, which is the Defense bill, be withdrawn; further, that at 12:30 p.m. on Wednesday, June 3, the Senate proceed to the consideration of H.R. 1735, and it be in order for Senator MCCAIN to offer amendment No. 1463, the text of which is identical to S. 1576, the Armed Services Committee-reported NDAA bill; finally, that the time until 2:30 p.m. be for debate only and equally divided between the bill managers or their designees.

The PRESIDING OFFICER. Is there objection? Mr. REID. Mr. President, reserving the right to object, we are not the sort of minority party that objects to virtually everything. We want to help move things forward. But I also want to be clear that we are not going to require a vote to move forward on the Defense authorization bill. But everyone should be aware that the President said he would veto this bill. It has all of this strange funding in it—funding that my Republican colleagues rallied against on previous occasions. Now they are using it.

We have grave concerns about this bill. Unless it is changed, I repeat, the President will veto it. I hope there are some significant changes in the bill while it is on the floor so we can help to vote to get it off the floor. So based upon that, I do not object.

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

VOTE ON AMENDMENT NO. 1450

The question is on agreeing to amendment No. 1450.

The yeas and nays have been previously ordered.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from South Carolina (Mr. GRAHAM).

Mr. DURBIN. I announce that the Senator from Virginia (Mr. WARNER) is necessarily absent.

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

The result was announced—yeas 44, nays 54, as follows:

[Rollcall Vote No. 199 Leg.]

YEAS—44

Alexander....Crapo....Perdue....Portman

Barrasso....Fischer....Risch

Blumenthal....Heitkamp....Paul

Booker....Heller....Peters

Boxer....Hirono....Reed

Brown....Kaine....Reid

Cassidy....Klobuchar....Sanders

Cardin....Lankford....Schatz

Carper....Leahy....Schumer

Casey....Lee....Scott

Coons....Manchin....Shaheen

Cruz....Menendez....Stabenow

Daines....McCaskill....Sullivant

Durbin....Merkley....Tester

Enzi....Mikulski.... Udall

Feinstein....Morgan....Warren

Franken....Murdie....Whitehouse

Gardner....Murphy....Wyden

Cotton....McConnell....Wicker

NAYS—54

Baldwin....Gilibrand....Murray

Benner....Heinrich....Nelson

Blumenthal....Heitkamp....Paul

Booker....Heller....Peters

Boxer....Hirono....Reed

Brown....Kaine....Reid

Cassidy....Klobuchar....Sanders

Cardin....Lankford....Schatz

Carper....Leahy....Schumer

Casey....Lee....Scott

Coons....Manchin....Shaheen

Cruz....Menendez....Stabenow

Daines....McCaskill....Sullivant

Durbin....Merkley....Tester

Enzi....Mikulski.... Udall

Feinstein....Morgan....Warren

Franken....Murdie....Whitehouse

Gardner....Murphy....Wyden

Cotton....McConnell....Wicker

The amendment (No. 1450) was rejected.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 1449.

The yeas and nays have been previously ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from South Carolina (Mr. GRAHAM).

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

The result was announced—yeas 43, nays 56, as follows:
Mr. MCCONNELL. Mr. President, I will now proceed on my leader time. The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. Mr. President, earlier this year I observed that President Obama’s foreign policy has been noteworthy for its consistent objectives. He has been very consistent—drawing down our conventional and nuclear forces, withdrawing from Iraq and Afghanistan, ending the tools developed by the previous administration to wage the war on terrorism and placing a greater reliance upon international organizations and diplomacy. That has been the hallmark of the Obama foreign policy.

None of this is a surprise. The President ran in 2008 as the candidate who would end the wars in Iraq and Afghanistan and the war on terror. And our Nation has a regrettable history of drawing down our forces and capabilities after each conflict, only to find ourselves preparing for the next great struggle.

The book ends to the President’s policies were the Executive order signed his very first week in office that included the declaration that Guantánamo would be closed within a year, without any plan for what to do with its detainees, and the Executive order that ended the Central Intelligence Agency’s detention and interrogation programs. Now, some of these detainee policies were the result of recommendations based on reasonable articulable suspicion—no content, no names, no listings of phone calls of law-abiding citizens. None of that is going on.

The President’s campaign to destroy the tools used to prevent another terrorist attack has been aided by those seeking to prosecute officers in the intelligence community, to diminish our military capabilities, and, despicably, to leak and reveal classified information, putting our Nation further at risk.

Those who reveal the tactics, sources, and methods of our military and intelligence community give a playbook—a playbook—to ISIL and to Al Qaeda. The Associated Press declared today, the end of the section 215 program is a “resounding victory for Edward Snowden”—a “resounding victory for Edward Snowden.” It is also a resounding victory for those currently plotting attacks against our homeland.

Where was the defense of the National Security Agency from the President? Our chairman of the Intelligence and EPA. Now, this is going to diminish our military’s ability to respond to the myriad of threats that are facing us today. And we all know what they are. Al Qaeda in the Arabian Peninsula has doggedly pursued tactics and capabilities that we have done since September 11, 2001, to defend our country.

So while the President has inflexibly clung to campaign promises made in 2008, the threat from Al Qaeda has metastasized around the world. ISIL, which has broken off from Al Qaeda, uses social media to communicate with Americans, divert them to encrypted communications, encourage travel to the would-be caliphate, and encourage attacks right here at home. Al Qaeda and ISIL publish online magazines instructing individuals in terrorist tactics. And in the long run, the al-Nusra Front in Syria may present the greatest long-term threat—the greatest long-term threat—to our homeland.

The President’s desire to dismantle our counterterrorism tools have not only been inflexible, but they are especially ill timed.

So today the Senate will vote on whether we should take one more tool that those who defend this country day by day: the ability of a trained analyst, under exceedingly close supervision, and only with the approval of the Foreign Intelligence Surveillance Court, to query a database of call data records based on reasonable articulable suspicion—no content, no names, no listings of phone calls of law-abiding citizens. None of that is going on. We are talking about call data records. These are the providers’ records, which is not what the Fourth Amendment speaks to. It speaks to “the right of the people to be secure in their persons, houses, papers, and effects.” But these records belong to the phone companies. Let me remind the Senate that the President is the standard for reasonable articulable suspicion is that the terror suspect is associated with a “foreign terrorist organization” as determined by a court. Nobody’s civil liberties are being violated here.

The President’s campaign to destroy the tools used to prevent another terrorist attack has been aided by those seeking to prosecute officers in the intelligence community, to diminish our military capabilities, and, despicably, to leak and reveal classified information, putting our Nation further at risk.

I am proud to have done this. I have fought to protect the privacy and constitutional rights of Vermonters and all Americans since 1975, when I cast my first-ever vote as a Senator to approve the establishment of the Church Committee. I will continue to fight for Americans’ privacy.

I urge Senators to vote to pass the USA FREEDOM Act. The PRESIDING OFFICER. The majority leader.
Committee and his committee colleagues have worked with determination to educate the Senate concerning the legal, technical, and oversight safeguards currently in place.

We hear concerns about public opinion. The public was released today. The CNN poll is not exactly part of the rightwing conspiracy. It states that 61 percent of Americans—61 percent of Americans—think that the expiring provisions of the PATRIOT Act, including data collection, should be renewed.

So if there is widespread concern out of America about privacy, we are not picking it up. They are not reporting it to CNN. Sixty-one percent say: I am not concerned about my privacy. I am concerned about my security.

So my view is that the determined effort to fulfill campaign promises made by the President back in 2008 reflects an inability to adapt to the current threat—what we have right now—an inflexible, inarticulate, and thoroughly unworkable approach to protecting American citizens, and it surely undermines Americans’ security by taking one more tool from our war fighters, in my view, at exactly the wrong time.

The PRESIDING OFFICER. The Democratic leader, Mr. REID. Mr. President, if my friend the majority leader is concerned, as he should be, about why the country is less secure—especially in the last couple of weeks—he should look in the mirror. We have a situation where he has tried to divert attention from what has gone on here. It was as if there had been a big neon sign flashing saying: You can’t do highway reauthorization, you can’t do FISA reauthorization, and you can’t do any more of these things in 4 or 5 days.

To do this right, we should have spent some time on FISA. Because of the mad rush to do trade, that did not happen. So today to try to divert attention from what I believe has been a miscalculation of the majority leader, it is making this country less safe. Every day that goes by with the FISA bill not being reauthorized is a bad day for our country. It makes us less safe. And to try to divert attention, as he has tried to do in the last few minutes—blaming the Obama administration for stopping torture, the detention centers, pulling troops out of Iraq—I say, my friend is looking in the wrong direction.

The issue before us is not to be—and he is, in effect, criticizing the House of Representatives for passing this FISA bill, to reauthorize it in a way that is more meaningful to the American people and makes us more secure. It makes it so people feel more secure about the intelligence operations we have going on in this country.

Is he criticizing the Speaker for working hard to get this bill reauthorized and in a fashion the American people accept? Because his criticism today is not directed toward people who voted here today; it is directed toward the bipartisan efforts in the House of Representatives that passed this bill overwhelmingly, with 338 votes. It is one of those things they have done over there, and they did it for the security of this Nation. I do not think any of us needs a lecture on why we are less secure today than we were a few days ago. I hope everyone will vote to enhance the possibilities that we have available if this law passes. If it does not pass, what are we going to do? It will go to the House of Representatives. The majority leader of the House of Representatives, the distinguished House Member from California, Mr. McCArTHy, said: They do not want anything from us. They want this bill passed. They want the USA FREEDOM bill passed today. That is what the chairman of the Judiciary Committee, Mr. GOODLATTE, said. Of course, what the Democratic leader says also.

Let’s vote. A vote today to pass this bill will make our country safer immediately, not a week from now. That is how long it will take, at a minimum, if this bill is changed when it goes to the House—I am sorry—if it does not go to the President directly, and it should go directly from here to the President of the United States. He can sign this in a matter of hours and put us back on a more secure footing to protect ourselves from the bad guys around the world.

The PRESIDING OFFICER. The majority leader, Mr. McCOuNELL. Mr. President, as my good friend, the minority leader, frequently reminded me over the last few years, the majority leader always gets the last word.

Look, his fundamental complaint is he does not get to set the schedule. The Senate anymore. He wanted to kill the President’s trade bill, and so he did not like the fact that we moved to the trade bill early enough before the opposition to it might become more severe.

I say to the Senator, the minority leader, he does not get to set the schedule anymore. My observations about the President’s foreign policy are directly related to the vote we are about to cast. It remains my view—I know there are differences of opinion, and I respect everybody in here who has a different opinion—that this bill is part of a pattern to pull back, going back to the time the President took office. I remember the speech in Cairo back in 2009 to the Muslim world, which sought to question American exceptionalism. We are all pretty much alike. If we just talked to each other more, everything would be OK. In almost every measurable way, all the places I listed, plus Ukraine—you name them—we have been pulling back. My position with regard to my position and my vote is that this is a step in the wrong direction. But I respect the views of others, and I suspect the minority leader will be happy at the end of the day. It appears to me the votes are probably there to pass this bill, and it will go to the President. I still think it is a step backward from where we are. It has been a great debate. I respect all those who engaged in it on both sides. I think it is time to vote.

I yield the floor.

The bill was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

Mr. LEAHY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent from South Carolina (Mr. GRAHAM).

The PRESIDING OFFICER. Are there any Senators in the Chamber desiring to vote?

The result was announced—yeas 67, nays 32, as follows:

[Ro]llcall Vote No. 201 Leg.

YEAS—67

Alexander  Aytote  Bennet  Bennington  Booker  Boozman  Boxer  Brown  Cantwell  Capito  Cardin  Carper  Casey  Cassidy  Coons  Corzyn  Crux  Donnelly  Durbin  EmConnell  Flake  Franken

Ayer  Grassley  Hampshire  Heitkamp  Heller  Hirono  Hoeven  Inhofe  Johnson  Kaine  King  Klobuchar  Lankford  Leahy  Lee  Manchin  Markey  McConnell  Menendez  Merkley  Michael  Mikulski

NAYS—32

Baldwin  Burrus  Innt  Burr  Coats  Cochran  Collins  Corker  Cotton  Crapo  Ernst  Ernst  Fischer  Hatch  Insko  McCain  McConnell  Moran  Paul  Perdue  Portman  Rounds  Risch

Ayotte  Gardner  Gillibrand  Grassley  Heitkamp  Hirono  Hoeven  Inhofe  Johnson  Kaine  King  Klobuchar  Lankford  Leahy  Lee  Manchin  Markey  McConnell  Menendez  Merkley  Michael  Mikulski

NOT VOTING—1

Graham

The bill (H.R. 2048) was passed.

The PRESIDING OFFICER. The majority leader.

MORNING BUSINESS

Mr. McCOuNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each; further, that at 5 p.m., Senator ROUNDS be
recognized to deliver his maiden speech.

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

The PRESIDING OFFICER. The Senator from Vermont.

USA FREEDOM ACT

Mr. LEAHY. Mr. President, the bill we just passed is a historic moment. It is the first major overhaul of government surveillance laws in decades that adds significant privacy protections for the American people. It has been a long and difficult road, but I am proud of what the Congress has achieved today. This is how democracy is supposed to work. Congress is ending the bulk collection of Americans’ private phone records once and for all.

To my partners in the Senate on both sides of the aisle, I thank you. Senator Lee, whose name is on our bill here in the Senate, believes strongly in our constitutional system of government. He has worked tirelessly to advance this bill from the day we first introduced the USA FREEDOM Act. Senator FRANKEN has devoted himself to the transparency measures in the bill. Senator LARGENT, shaped the Fourth Circuit Court amicus provisions. This was hard fought, and they never wavered.

I also want to thank Senators HELL-ER, CRUZ, MURKOWSKI, DAINES, DURBIN, and SCHUMER, the other original co-sponsors of this bill. They have each worked to help advance this legislation and build the coalition we needed to finally get to our strong bipartisan vote in the Senate for passage. I must also mention Senator FEINSTEIN, who provided invaluable support to get this bill across the finish line. Of course, I also need to thank Minority Leader REID, who has never wavered in his strong support and responsible leadership.

On the House side, Chairman GOOD-LATTE and Congressmen SENSS-BRENNER, CONYERS, and NADLER have been the kind of bipartisan partners on this bill that every legislator wants in their corner.

I also need to thank Senators WYDEN and HEMPSTEAD and former Senator Mark Udall, who used their positions on the Senate Intelligence Committee to ask the hard questions behind closed doors and who have fought to end this program for so long.

When so much work to do, we have accomplished something momentous today. We are a better nation for it.

I also want to thank the many staffers who have worked long hours on this legislation for nearly two years now. On my own Judiciary Committee staff, I thank Chan Park, Lara Flint, Jessica Brady, Hasan Ali, Patrick Sheehan, Logan Gregoire, Jonathan Hoadley, Joel Park and Kristine Lucius. My personal assistants include J. Eric Chabot, David Carle, John Tracy and Diane Derby, also worked hard on this effort, and I am grateful for that. I also want to thank Democratic and Republican Senate staffers who have toiled countless hours on this effort, including Matt Owen, Mike Lemon, Wendy Baig, James Wallner, Josh Finestone, Scarlett Doyle, Ayesha Khanna, Alvaro Bedoya, Helen Gilbert, Sunantha Chafetz, Sam Simon, John Dickas, Chad Tanner, and Jennifer Barrett.

We not only worked across the aisle on this legislation, but we also worked across the Capitol. The bipartisan group of House staff who helped to craft the bill and generated such an overwhelming vote on this legislation deserve enormous credit for their work: Caroline Lynch (who along with Lara Flint deserves a perfect attendance award for extensive negotiating sessions), Bart Forsyth, Aaron Hiller (whose wife deserves our thanks as she had a baby just weeks before the House considered the bill), Jason Herrig, Shelley Husband, Branden Ritchie, and Perry Apeibaum.

I thank those at the White House who devoted countless hours including Josh Pollack, Jeff Ratner, Ryan Gillis, Michael Bosworth, and Chris Fonzone. I also appreciate the work of so many other executive branch officials at the Justice Department, Federal Bureau of Investigation, Office of the Director of National Intelligence, and National Security Agency who work so hard to keep our country safe and answered our questions at all hours of the day and night.

I also need to thank the many public interest groups, on all ends of the political spectrum, who stuck with us despite many challenges. There are too many to name, but without their energy and expertise, this reform effort would never have come to fruition. Likewise, the technology industry provided invaluable input and support for this legislation.

And finally, I would like to thank the dedicated staff in the Office of Senate Legislative Counsel, whose tremendous work in assisting us with legislative drafting often goes unnoticed and unrecognized. In particular, I want to thank John Henderson, Kim Albrecht-Taylor, and James Ollin-Smith for their assistance and technical expertise.

Seeing nobody else seeking recognition, I suggest the absence of a quorum.

Mr. WHITEHOUSE. Madam President. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. (Ms. AYOTTE.) Without objection, it is so ordered.

CLIMATE CHANGE

Mr. WHITEHOUSE. Madam President, today I am here for the 101st time to urge this body to wake up to the threat of climate change. It is real, it is dangerous. There is a legislative answer to this problem that my Republican colleagues should consider, and that is a carbon fee.

The unpleasant fact here in Congress presently, anyway, is that Congress is ruled by the lobbyists and the political enforcers for the fossil fuel industry. But outside this Chamber, where the fossil fuel industry’s power is less fierce, there is considerable conservative support for a carbon fee.

Leading right-of-center economists, conservative think tanks, and former Republican officials, both legislative and executive, all say that putting a price on carbon pollution is the right way to deal with climate change. They know that climate denial cannot stand against the facts. As the Washington Post reported last month, prominent thinkers on the right are “increasingly pushing” for a climate policy based on conservation principles and values such as property rights, market efficiency, and personal liberty. They recommend pricing carbon.

Jerry Taylor, a former vice president at the CATO Institute now leads his own libertarian think tank, which is making the case for a carbon fee. He recognized that “the scientific evidence became stronger and stronger over time.” He knows climate denial is not an option. He says that “because the public understands that climate change is a non-diversifiable risk, we should logically be willing to pay extra to avoid climate risks.” Taylor points out that hedging against terrible outcomes is what we expect in our financial markets. Why should we not do the same for climate change?

Conservatives have also long agreed that government should prevent one group harming another. Conservative economist Milton Friedman still tops the reading lists of Republicans in Congress. He says that “government should prevent one party—a third party that did not cons-
as a subsidy. For the polluters who traffic and burn fossil fuels, that subsidy is huge. In a finding it describes as “shocking,” the International Monetary Fund estimated the true costs of fossil fuel energy to account for public health problems, climate change, and other negative externalities, and they added it up to a polluter world subsidy of $5.3 trillion a year. The subsidy here in the United States for the fossil fuel industry will hit $690 billion this year. If it were a fossil fuel enforcement wield their clout in Congress so energetically. At $700 billion a year just in the United States, why would the big polluters not want to squeeze one more fiscal quarter, one more year of public subsidy out of the rest of us at $700 billion a year? We usually talk about big numbers here in the Senate over a 10-year period. That is the way our budget works. Over a 10-year budget period, that is $7 trillion. No wonder they say they are so remorseless.

From their point of view, lunch is good when someone else is picking up the tab, and Senate Republicans have been far too willing to let the polluters dine for free. Outside of this Chamber, however, conservative economists call such an enormous public subsidy a market failure. The price of fossil fuel energy does not match its true costs. That market imbalance artificially favors polluting fuels and their producers—picking winners and losers, if you will.

A carbon fee can make the markets more efficient and level the playing field for different types of energy. Anyone who really believes in a free market should favor a carbon fee. That is what makes it work.

Harvard Professor N. Gregory Mankiw has been an economic adviser to President George W. Bush and to Presidential candidate Mitt Romney. He has argued that a carbon fee can help repair such a market failure and that “the idea of using taxes to fix problems, rather than merely raise government revenue, has a long history.” In a 2013 New York Times op-ed, former Republican EPA Administrators Bill Ruckelshaus, Christine Todd Whitman, Lee Thomas, and William Reilly wrote: “A market-based approach, like a carbon tax, would be the best path to reducing greenhouse-gas emissions.”

A carbon fee can also generate significant revenue, and this could help achieve conservative priorities, such as lowering taxes. Art Laffer, one of the architects of President Reagan’s economic plan, popularizer of the famous “Laffer curve,” has looked at using a carbon tax to fund a payroll tax cut. He said: “I think that would be very good for the economy.”

Did you get that? Arthur Laffer, President Reagan’s economic adviser, said that a carbon tax, funding a payroll tax cut, would be very good for the economy.” And as an adjunct, he continues: “It would also reduce carbon emissions into the environment.” It is a pretty simple idea. You can lessen the tax burden on things that you do want—employment, jobs, profits—and make up for the lost revenue by ending the subsidy of something you don’t want—and pollution.

What is not to love unless you are a big polluter? Dr. Irwin Stelzer, an editor at the Weekly Standard and director of economic policy studies at the conservative Hudson Institute, said that a federal carbon fee, “conservative support would depend solely on a desire to get the economy growing faster by shifting the tax burden from good stuff like work to bad stuff like pollutants.”

The fundamental conservative faith in the free market points to a carbon fee. A carbon fee priced at the true social cost of carbon would allow the market—not the polluters, not the government—to sort out which energy mix is best for America. In this question, Republicans have a choice to make: Are they real conservatives who will support a free market solution or are they the playthings of the fossil fuel industry, which will not pick up this question at all?

Well, if you do not like picking winners and losers, then quiet favoring fossil fuel to the tune of $700 billion a year just in America and level the playing field with a good, conservative, deficit neutral carbon fee. Level the playing field.

That is how George Shultz sees it. George Shultz was President Nixon’s Treasury Secretary and President Reagan’s Secretary of State. He and Nobel laureate economist Gary S. Becker made the case for a carbon fee in the Wall Street Journal:

Americans like to compete on a level playing field. All the players should have an equal opportunity to win based on their competitive merits. That is the American advantage that gives someone or some group a special advantage.

That is why Secretary Shultz supports a price on carbon.

As an addition, there is also a huge economic win that will result, according to knowledgeable conservatives. Last year, George W. Bush’s Treasury Secretary, Hank Paulson, said, “A tax on carbon emissions will unleash a wave of innovation to develop technologies, lower the costs of clean energy, and create jobs as we and other nations develop new energy products and infrastructure.”

Former Republican Congressman Bob Inglis has become a leading conservative for a tax fight against climate change. He specifically supports using a carbon fee and even introduced legislation when he was in Congress to price carbon and cut payroll taxes, the Laffer combination. Last year, he told the Dallas Morning News that this would create economic opportunity. He said:

“We are discovering in climate science . . . that there is a risk that we can avoid from the creative innovation that comes from free enterprise. We have a danger and an opportunity. As a conservative, I say what a great opportunity to create wealth, innovate, and reform pollution around the world.”

By the way, Representative Inglis’s dedication to this issue recently earned him the John F. Kennedy Profile in Courage Award. I offer him my sincere congratulations. It does, indeed, take courage to come out from behind the veil of skepticism and denial to face the plain truth and to propose real, concrete solutions. That is especially true when the fossil fuel industry wields such relentless, remorseless power over the Republican Party today.

President Obama’s Clean Power Plan is at last putting an end to the free lunch for the fossil fuel industry. This ought to motivate the industry to rethink its inequitable, subsidy-ridden business model. Which is more efficient, anyway—government regulation or proper market pricing?

Conservative Institute scholars Kevin Hassett, Steven Hayward, and Kenneth Greene put it, “Because a carbon tax would cause carbon emissions to be reduced efficiently across the entire market, other measures that are less efficient, and sometimes even perverse in their impacts—could be eliminated . . . As regulations impose significant costs and distort markets, the potential to displace a fairly broad swath of environmental regulations with a carbon tax offers benefits beyond [greenhouse gas] reductions”—i.e., economic benefits.

Republicans in Congress have a real chance to help remake the U.S. energy market under conservative, free-market principles. As far back as 1992, former Chairman of President Reagan’s Council of Economic Advisers, Martin Feldstein, wrote in the Wall Street Journal: “Although a general carbon fuel tax is moot for the moment, the idea will not go away. If carbon dioxide emissions are to be reduced further in the U.S., such a tax will achieve the goal with less economic waste than new bureaucratic hurdles.

Why don’t today’s Republicans abide by this conservative principle? As Douglas Holtz-Eakin, CBO Director under the prior Republican Congress and economic adviser to my friend Senator MCCAIN’s Presidential bid, wrote in the National Review, “In the bad old days, Democrats bad-mouthed trading systems and price mechanisms; Republicans opposed rifle-shot subsidies and mandates. Weirdly, conservatives have a need to relearn these lessons.”

Well, the carbon fee is right in line with Douglas Holtz-Eakin’s lessons to be learned.

On June 10, I will introduce my carbon fee proposal at an event hosted by the American Enterprise Institute. I hope that once my colleagues see the details, they will take seriously the promise of a less efficient—and an inelegant—solution to climate change. For any Senator who wants to engage on this issue, I am interested. I will gladly work with any
Republican colleague. What we cannot do is stay in denial. For both our environment and our economy, and indeed our honor, we cannot afford to keep sleepwalking. It is time to wake up. I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

USA FREEDOM ACT

Mr. TOOMEY. Madam President, I rise today to speak on H.R. 2048, the USA FREEDOM Act. I want to put it in some context and discuss why I voted the way I did today, but first, a little background.

It has been now more than a decade since Al Qaeda launched its deadly attacks on U.S. soil that we all remember so well, killing 2,977 people in New York City, in Washington, DC, and just outside of Shanksville, PA, injuring about 2,700 more, and taking away far too many children, wives, husbands, families, and friends.

As we gather here today, we face other grave threats as well. One of the most grave threats is the threat of the Islamic State of ISIS. Secretary of Defense Ash Carter described it this way. He said ISIS is “beyond anything that we’ve seen” and constitutes an “imminent threat to every interest we have.”

We now know this is a brutal group. They behead people. They crucify people. They burn people alive. They systematically kidnap young girls into slavery. They control large regions in the Middle East now. They have their sights set on attacking the United States.

We know there are radicalized ISIS sympathizers and adherents here in the United States. Many of them are eager to carry out this group’s destructive ambitions right here in our own country.

We know ISIS has the resources to carry out attacks on our homeland. Al Qaeda spent about half a million dollars. That is what it cost them to plan and execute the entire attack on the World Trade Center and the Pentagon.

ISIS has amassed a $2 billion fortune—4,000 times as much money as Al Qaeda spent on September 11. ISIS collects something on the order of an additional $1 million to $2 million every day through the variety of means it has because of the land it controls. So this is a very serious threat.

Like any other threat, we have an obligation to protect the American people from this to the extent we can. In the process, we have an obligation to strike an appropriate balance between the national security we owe our constituents, the American people, and the robust civil liberties we ought to protect because they are enshrined in our Constitution and important to our country. In my view, section 215—the controversial part of the USA PATRIOT Act—appropriately struck that balance.

The best policy we could have pursued this week would have been to re-authorize section 215 in pretty much the form it has been in. If we had done so, we would have been repeating what we had done many times before by overwhelming bipartisan majorities I think seven previous times. In 2005, 2006, 2009, 2010, and 2011, Congress reauthorized the USA PATRIOT Act, including section 215. Congress did that because there is nothing radical about section 215 or the PATRIOT Act. This—what became a very controversial section recently—simply gave our national security officials the same kind of authority they had been using informally, reports, toobtain and other tangible items when investigating a potential international terrorist attack that a grand jury has and has long had when investigating ordinary criminal events such as a car theft.

It is important to note what section 215 did not authorize. It did not authorize the NSA to conduct wiretaps or listen in on any phone conversations. That has never happened. Despite that, there has been misinformation about the telephone metadata program, as it is referred to, that was conducted under section 215, so I want to discuss that a little bit.

I think one of the most important things to stress here is that the metadata program contained only information a third party had. It was not private information that an individual possessed; it was third-party information held by a telephone company. What was it—the phone companies have always had? Is it a phone number. It is a date and time of a call. It is the duration of a call. It is the number being called. That is it. That is the sum total of all of the information in this so-called metadata program. Because that is all the information, it was completely anonymous. Not only did it not include any context of any conversation—that was not possible. Conversations have never been recorded, so the contents have never been captured. It did not contain any identifying information with the phone numbers. There are no names, no addresses, no financial information. There is no information that would in any way identify anybody with any particular number.

So what did the government do with the metadata it had received? Well, it stored it all in a big database, on a big spreadsheet with all of those numbers. That is all it was, was a lot of numbers. When the government discovered a phone number from a known terrorist, when a group of special ops American forces took down a terrorist group somewhere and grabbed a cell phone, then the government could conduct a search of that metadata, but first a Federal judge would have to give permission.

After running the search to determine whether in that metadata there had been phone calls between the known terrorist and an American in that database, even after doing the search, the government still had no information identifying the phone number because that is not in the database. Of course, as I said before, certainly there was no content because content had never been recorded.

But a link might be established—and if it were to be established, if Federal investigators determined the known terrorist was in regular phone communications, for instance, with someone in the United States, then that fact could be turned over to the FBI, and the FBI could conduct an investigation, which would be a very useful investigation to have.

Well, we have had a number of officials who have told us how important this program has been, the intelligence value we have received. President Obama, himself, explained that had the section 215 metadata program been in place prior to 9/11, the government might have been able to prevent the attack. Remember, we learned afterward the risks had been great and the capabilities were there to stop them.

Even the critics of this program—which, as we know, there are many—have never suggested this program was in any way abused, that any individual person had their rights violated, that there was any breach. That case has never been made, not that I have heard. Given the value of the program—as we have heard from multiple sources and the complete absence of any record of any abuse of the program, in my view, Congress should have reauthorized this program, including section 215.

But, instead, we have passed an alternative, and that is the USA FREEDOM Act. I voted against this measure today because I am concerned the USA FREEDOM Act does not provide us with the tools we need at a time when the risks have been great and ever. Let me just mention some of these.

First, under the USA FREEDOM Act, it is entirely possible that the government may not be able to continue any metadata program at all. I say that because the bill explicitly prohibits the government from maintaining the database that we have been maintaining and instead the bill assumes that private phone companies will retain the data, and then the government will be able to access that data as needed.

But there is a problem with this assumption. The problem is the bill doesn’t require the phone companies to preserve any of this data. Under the USA FREEDOM Act, the phone companies could destroy the metadata instantaneously after a phone call occurs.

They have a regulatory obligation to keep billing information, but a lot of bills are on a single monthly charge. They have no statutory or regulatory requirement to retain the records of these calls. As currently practiced, I am not aware of any phone companies that retain this data for the 5 years our intelligence officials believe is the necessary timeframe to provide the security they would like to provide.
There is another problem, it seems to me, with the USA FREEDOM Act; that is, it is entirely possible the time period contemplated for establishing the software that will enable the government to query the many different private phone company databases—that time period would be longer than we think. We don’t know whether it is going to be long enough. We will just find out, I suppose, when the time comes. But this is a complex exercise that has to be carried out in real time, and the USA FREEDOM Act simply creates a deadline. It doesn’t ensure that we will have this in place.

A second concern I have is that the USA FREEDOM Act weakens other intelligence-gathering tools that are unrelated to any of the metadata programs which have received most of the attention.

So the USA FREEDOM Act gives intelligence officials——

The PRESIDING OFFICER. The Senator from Pennsylvania has used 10 minutes.

There is an order to recognize the Senator from South Dakota.

Mr. TOOMEY. Madam President, I ask unanimous consent for 30 seconds to wrap up.

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

Mr. TOOMEY. Madam President, I conclude by saying that we are at least at as great a risk as we have ever been, and the first priority of the Federal Government of the United States is to protect people of the United States. I am deeply concerned that the USA FREEDOM Act diminishes an important tool for providing for this security, and I hope that in the coming months we can address this bill and try to correct the many flaws it has.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

REGULATORY REFORM

Mr. ROUNDS. Madam President, I rise, for the first time speaking in this Chamber, to discuss the future of our great Nation, how truly fortunate we are to live in the greatest country in the world.

We are protected by the best military that has ever existed and that, in turn, allows us to live freely here at home, to follow our rights of life, liberty, and the pursuit of happiness.

In my home State of South Dakota, we cherish these rights. We have the opportunity to make our dreams come true because we have these rights and because we have a commonsense value system to guide us.

When I was elected, I promised to bring South Dakota common sense to Washington and to work to solve problems for the good of every South Dakota and every American. But, unfortunately, every day, I continue to hear from my fellow South Dakotans about the Federal Government infringing on these rights and values.

You see, our great Nation has been bogged down in recent years with what I believe is one of the greatest hindrances to job growth and economic productivity; that is, the overregulation of our citizens. Overregulation is not a Democratic or a Republican issue. It is an issue that affects every single one of us. But I believe it is a challenge we can solve through cooperation and perseverance. It doesn’t matter if you are talking about a doctor or a small business owner or a farmer or a homemaker, it has affected every single sector of our society.

The regulatory burden on this country is nearly $2 trillion annually, and this is in addition to the tax burden already placed on our American citizens. That regulatory burden is larger than Canada’s entire economy. In fact, the cost to comply with Federal regulations is larger than the entire GDP of all but only eight other countries in the entire world.

Even more staggering, just a few years ago, we surpassed 1 million Federal regulations in America—1 million Federal regulations. Regulations are stifling economic growth and innovation disproportionately of this country by crushing the can-do American spirit that founded our Nation, settled the West, won two World Wars, and put a man on the Moon—and every year more than 3,500 new Federal regulations have been added.

This just does not make sense, and it certainly is not South Dakota common sense. What alarms me is not only the volume of regulations being thrust upon our citizens but also the process for creating them. The purpose of Congress is to be the voice of the people when making laws. Unfortunately, the voice of the people in the rulemaking process has been cut out and replaced by unelected government bureaucrats who think they know better than the farmer or the scientist or the entrepreneur.

Our Founders recognized the need for making laws, granting the power to create laws to Congress and only Congress. They meant that process to be difficult so our government would not overburden citizens and restrict their freedom, freedom that those Founding Fathers had just fought so hard to obtain. Through Congress, every citizen should have a voice, but unfortunately that is not the way things are today.

Our Founding Fathers created three branches of government with checks and balances for each one. They could have never imagined that we would have a regulatory process in place today where unelected bureaucrats would both write and have the final approval of the rules and regulations under which our people must live.

This regulatory regime, which is responsible for the 3,500 new rules each year, has essentially become a fourth branch of government and a de facto legislative body. The problem is exacerbated because these bureaucrats in Washington have this misperception that they know how to run our lives better than we do.

While working as a business owner, a State legislator, as a Governor, and now as a Senator, I have seen just how detrimental this mindset is on the business mentality on the daily lives of South Dakotans and Americans.

Many of my friends on both sides of the aisle have come to the Senate floor in recent weeks and months with some great ideas and legislation to limit or roll back or repeal or remove some of the worst regulations currently on the books. I applaud them for these efforts, many of which I also support.

I look forward to working with the senior Senator from South Dakota, my friend JOHN THUNE, as well as anyone who is willing to work with me to remove these burdens that are stunting American greatness and, well, bring a little South Dakota common sense back to our regulatory environment.

The regulatory system in America has run amok. Too often, burdensome, costly regulations are crafted by bureaucrats at the highest level of government, behind closed doors, with little input from everyday Americans who will be at risk for the long-term effects of these one-size-fits-all policies. It is regulation without representation—and it is wrong. The American people are being squeezed out, their voices falling on deaf ears in Washington. Small businesses that drive our economy and create the majority of jobs in America, are especially hurt by overregulation because they, too, have to hire lawyers and employees to comply with these rules. This takes away capital that could be used to hire new production employees and expand their businesses.

People in my home State of South Dakota feel victimized by their own Federal Government. It is keeping crops from getting to market, and it is keeping businesses from growing. The idea that unelected and unaccountable bureaucrats should be allowed to make sweeping rules and regulations with no recourse should be a concern to every American, regardless of political affiliation, because it impacts everyone. No party has a lock on the American dream, and American innovation doesn’t have a party affiliation.

From the stack of paperwork required to process a bank loan to the regulatory price of putting food on the table, the cost of Federal regulations is ultimately passed down to each and every American. Without excessive regulation, imagine how much more money American families could have in their pockets to spend on what they want, instead of what the government wants. If we cut our redtape, families can stop having to cut their budgets.

The regulatory regime is a dark cloud over our entire economy. I am not saying there isn’t a place for rules in our society; there is. Rules are meant to keep us safe and to promote the greater good, and I do believe there
are some good rules and regulations which are on the books today. The
problem I have is with the bad rules that keep good people from going about
their daily lives.

Unfortunately, there are too many of these regulations that are hindering our freedoms and stifling our growth. These are the regulations which we should have a process in place to reexamine.

Today, I come to the floor to discuss bipartisanship and legislation, which we have already introduced, to permanently end regulation without representation. It takes a giant leap forward in restoring the people’s role in the rulemaking process. After all, if the American people don’t like the laws we make, they can vote us out. But they have no such power with unelected bureaucrats. They are stuck.

You see, the bipartisan legislation we have submitted, S. Con. Res. 17, would create a Joint Select Committee on Regulatory Reform whose purpose includes reviewing regulations currently on the books and proposing a new rules review process that includes the elected representatives of the American people. It is rooted in South Dakota common sense and the principles that have made this country great, making government work for Americans, rather than against them.

Madam President, this committee would make several recommendations to Congress to reconcile this broken regulatory scheme.

First, the committee would be tasked with exploring options for Congress to review regulations written by agencies before they are enacted, providing much needed oversight through the possibility of a permanent joint rules review committee, which would be tasked with reviewing rules with a cost of $50 million or more. This permanent joint rules review committee would have the means to delay the imposition of these rules for not more than a year from the time the agency submits the rule for a review to enable Congress to act on the rule if they do not care for the rule.

Second, the committee would examine an option for agencies to submit each regulation with a $50 million or more impact to the appropriate committees of Congress for review before the rule is enacted.

Third, the joint select committee could recommend ways to reduce the financial burden regulations place on the economy as well as unsettling onerous and outdated ones. This joint select committee would not be a permanent one, but it would be bipartisan, bicameral, and hold meaningful hearings so that a permanent solution to our overregulation problem can be properly addressed.

This legislation also offers a starting point for the committee by requiring certain possible solutions to our regulatory problem to be considered. I firmly believe that regulations should be reviewed by elected officials, those who are accountable to the American people through the democratic process.

This is a new concept. It is not rocket science. It is a common practice at the State level. In fact, 41 of the 50 States, including my home State of South Dakota, have reviewed the process to make sure the executive branch is faithfully executing the laws they seek to implement.

It is worth repeating that regulations are estimated to cost a trillion annually in the United States, and that is above and beyond the tax burden our citizens already share. That amounts to just under $5 billion every single day, and it just doesn’t make sense. It is unfair to those who still believe in and are working to achieve the American dream. Whether Americans are seeking to buy a car, take out a mortgage on a house, start a business, or see the doctor, regulations obstruct them.

Friedens, the American people have made this country great, making us the envy of individual American freedom, and happiness and trust that our government would not hinder these lifelong endeavors. It is not Washington that will continue to make this country great; rather, it is the collective spirit of individual Americans who want to work hard to be successful for their families and their communities. But they need the heavy hand of government to be lifted.

Here in Washington, it is not our job to dictate how Americans run their lives but to allow them to achieve their dreams, not make them into nightmares.

The phrase “Washington is broken” is far too common. It seems as though whenever we go home, there is someone who suggests that Washington is broken. We hear it regularly. People use it to describe the current state of our Federal Government. “Washington” is now used in a derogatory manner.

This city, the capital of our Nation, named after our very first Commander in Chief, the man who led us to victory in the Revolutionary War and birthed this great Nation, has become, over time, the same as a four-letter word. Remember, George Washington left the Presidency voluntarily after two terms in office. He wanted to get away from the strong style of government in which he was appointed for life. And now this city that bears his name is full of lifelong bureaucrats—and even worse, they are unaccountable to the people. It is a far cry from the Republic our Founders envisioned.

Madam President, in the year 2026 our country will celebrate its 250th birthday. That is just over a decade away. When we get to that point, I hope to join my fellow Americans in looking back with great pride in all we have accomplished and all we have to pass on to future generations.

President Kennedy challenged our Nation to put a man on the Moon before the decade of the 1960s had passed—less than 10 years. I am not asking us to do anything as tough as putting a man back on the Moon, but I think we should commit ourselves to removing the barrier of government red tape and do no deed. Americans want us and expect us to be up to this challenge, and I believe we are. We can lift the heavy hand of government. The Founding Fathers did not anticipate thousands of regulators and a million regulations when they created this country. It is time to end this regulation without representation and restore the lawmaking process to the people.

I thank my friends on both sides of the aisle who have cosponsored RE-STORE and encourage the rest of my colleagues to sign on to this commonsense approach to addressing the issue of overregulation so we can work to remove the onerous and overburdensome regulations that is weighing on the American spirit and again set free the American economy before the decade preceding our 250th birthday.

I have not submitted legislation to start a new committee that exists in name only and does no deed. Americans want us and expect us to be up to this challenge, and I believe we are. We can lift the heavy hand of government. The Founding Fathers did not anticipate thousands of regulators and a million regulations when they created this country. It is time to end this regulation without representation and restore the lawmaking process to the people.

I yield the floor.

The PRESIDING OFFICER. The majority leader.
I think coming here to Washington, DC, and finding the massive bureaucracy—in some cases, dysfunction—that surrounds this city, there can be a lot of disillusionment at times for people across the country. I think the new Senator from South Dakota is going to be a great voice, a great voice, for how to break through that. He will be a great partner and someone I look forward to continuing to work with. We worked together a lot during his time as Governor and while in the State legislature, but I am delighted he is here in the Senate, where he can take his skills and experience and the passion he has to bring about positive change for our country and put it to work on behalf of the people of South Dakota and the people of our country.

I look forward to working with him on the very issue he talked about today because there is probably nothing right now that has a greater economic impact and creates more economic harm for the representatives we represent in South Dakota than regulatory overreach. This is evidenced on an almost daily basis as new regulations emanate from various agencies around this town that make it more difficult and more expensive for people to create jobs, more difficult for farmers and ranchers and small business people to do the things they do best, and just create a higher burden, a higher level of harm for people across the State because everything that comes out of Washington, DC, that drives up the cost of doing business in this country gets passed on to consumers in our State and all across the country.

I congratulate the Senator from South Dakota on his remarks and am grateful for his great service to our State in so many ways already and now adding to that here as a Member of the Senate, where we have big problems, big challenges, but he meets that with not only big enthusiasm but big experience to knocking down these barriers and making it more possible for people in this country to live more prosperous lives, safer lives, and hopefully more fulfilled lives when they can get government out of the way and allow their greatest aspirations to surface.

So I hope we have the opportunity to deal with a lot of those issues and do it in a way that creates greater prosperity for people across South Dakota and across the country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Madam President, let me observe that after hearing all the Senator from South Dakota said and what his goals are, he sure chose the right committee, the committee I chair, the Environment and Public Works Committee. That is what we talk about. That is what we do.

I thought being in South Dakota before the election, and as I walked around in South Dakota and looked around, I thought, I could just as well be in Oklahoma. While I was there, I talked to the farm bureau people there, and they said it is the regulations. That is a farm State. Oklahoma is a farm State, and we understand that.

Or if the regulations they have and the problems they have, they say the EPA overregulates and causes the greatest problems. They singled one out—endangered species. They singled another one out—the waters of the United States. Currently, we are doing legislation in the legislative branch of the United States, and it is legislation that is going to get that burden off of the people from South Dakota and Oklahoma. Right now, we are considering the most expensive of all the regulations, which is the ozone regulations. It would constitute the greatest single increase in expenditures or taxes of anything in the history of this country.

So it is nice to know we have someone who is so committed to the goals of this committee to be single this out in a maiden speech as his greatest concern. I appreciate that as the chairman of that committee, and we are going to do wonderful things together for South Dakota, Oklahoma, and America.

Madam President, I yield the floor. I suggest the absence of a quorum.

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

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

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

DROUGHT AND WILDFIRES

Mr. WYDEN. Mr. President, this afternoon I wish to call attention to the severe drought and wildfires that are already burning in my home State of Oregon and across the West. Earlier today, the Energy and Natural Resources Committee, on which I serve, held a hearing on drought. There is no question that communities in many of our Western States are experiencing very uncertain times. Our farmers are concerned about water for their crops. Outdoorsmen and business owners fear low reservoir and river levels are going to ruin the summer season. Conservationists worry about a lack of cold water for fish habitats. Drought and fire are a dangerous combination and create a trend continuing this year. Fire seasons have gotten drier. The fires have gotten hotter, and they have become far more expensive to fight. And severe drought is on the watersheds. We ought to make no mistake about what is going on in the West. The West is now bone dry, and the tragic fact is that this is the new normal for Oregon farmers and ranchers. Water is an increasingly scarce and precious resource.

Right now, every last square mile of Oregon is experiencing abnormally dry or drought conditions. That is what we do. And also 80 percent of my State is under severe drought. Fifteen of Oregon’s 36 counties have declared drought emergencies or have been declared a drought emergency by the Governor. The unusually warm winter in my home State meant record low snowpack, which decreases summer runoff, which is so important to Oregon’s water supply.

Drought raises enormous issues for communities and State and Federal agencies. They have to find ways to cope while using less water. Authorities feel they are in a position, or are forced into a position, to have to make seemingly impossible choices about where to dedicate increasingly scarce resources. All of these rural communities have more people and more structures will be at risk, and more funds are going to be needed to put the fires out.

Fire season this year has started earlier than normal. In fact, I received a fire briefing at the beginning of March. That is the earliest I have had a fire briefing in all of my time in Congress. It certainly bodes badly for the extra costs that we are likely to see. I recently got a letter from the Forest Service with the estimate of anticipated wildfire suppression costs for fiscal year 2015. The middle-of-the-road estimate for how much it will cost to fight wildfires is nearly $1.25 billion. On the high end, it could cost more than $1.6 billion. The funding, however, that has been dedicated to fighting fires does not come close—not close—to covering those costs. The appropriated amount is $200 million less than even the most conservative median forecast. Wishful thinking in the budget is not going to be very useful in putting the fires out. Fighting fires costs money, and it can’t be punted into the future like some minor budget line item. Once again, then, we are looking at the prospect of the Forest Service having to raid other accounts in order to pay out the blazes.

According to the Forest Service, in 2013, $40 million was essentially stolen from the National Forest Fund, which would pay for the stewardship and management of the 193 million acres of national forests and grasslands. And $30 million was stolen from the account that funds the disposal of brush and other debris from timber operations. This brush and debris is essentially fuel for future fires.

Those figures represent the stark reality that the broken funding system in place is shortchanging the resources needed for sensibly fighting wildfires.
The cycle of stealing money from prevention accounts to pay for suppression of forest fires just repeats itself again and again without end, and it will continue until this funding problem is finally fixed.

Senator, our colleague from Idaho, and I have been working on a bipartisan basis to fix this flawed policy for quite some time now. He and I introduced the Wildfire Disaster Funding Act to end this damaging cycle, which I have described and which in the West we call fire borrowing. Our bill would raise the Federal disaster cap to allow the agencies to treat wildfire-fighting efforts like other natural disasters because wildfires are natural disasters, destructive and costly, no different than hurricanes, floods, and tornadoes.

When our governmental agencies are forced to borrow from other accounts to fight fires that have bankrupted these accounts for fire suppression, they rob from the funds that are needed to get rid of hazardous fuels in the forests, which leads to even more choked and overstocked forests ripe for future fires.

In effect, what happens is the prevention fund—the funds for thinning, cleaning out all of that debris—get shorted. So then you might have a lightning strike or something in our part of the world and you have an inferno on your hands. The government, in effect, borrows from the prevention fund to put the fire out, and the problem just gets worse and worse. It is that problem that Senator CRAPO and I are trying to fix.

On a bipartisan basis, we seek to give the agencies the tools they need to support the courageous firefighters on the ground, men and women who put their lives at risk to ensure that Americans, their homes and communities are protected from destructive wildfires.

I know there are other Members of the Senate very interested in solving the fire-borrowing problem. I encourage all those Members to work with me, Senator CRAPO, and our staff to find a solution that is acceptable to Congress and can be passed soon.

This is an urgent matter. This is not something you can sort of let go and offer the amendment to the amendment, the kind of thing that happens here, and it just gets shunted off for years on end. This is urgent because the West needs to be in a position to clear these hazardous fuels and get out in front of these increasingly dangerous and ominous fires. We have to end—we have to end this cycle of catastrophic wildfires in the West. It is long past time for action. I urge you to join Senator CRAPO and I to work with us and our staff so this body moves, and moves quickly, to fix this problem.

There is an awful lot of uncertainty when it comes to calculating the Federal budget for what we have in mind for fire suppression—for sure—is that this problem of wildfires in the West is getting increasingly serious. The fires are bigger, the fires are hotter, and they last longer. It is time to budget for reducing this problem in a sensible way.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

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

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

GEORGE SCHENK, CELEBRATING 30 YEARS OF FLATBREAD

Mr. LEAHY. Mr. President, I wish to recognize George Schenk, founder of one of Vermont’s most beloved restaurants, American Flatbread. Thirty years ago, American Flatbread was built from the ground up, driven by George’s own enthusiasm, innovation, and drive. He baked his first pizza—flatbread as he prefers to call it—in a wood-fired stone oven of his own design. Today, American Flatbread still bakes its creations in the same stone ovens.

George started with a vision where his food was not just great tasting and nutritional, but also nurturing and healing the soul. He accomplished that and so much more. Anyone who has sat down at American Flatbread after a long day hiking, skiing or even just to visit understands the satisfaction of eating at George’s restaurant. He and his staff maintain a commitment to the core values of the integrity of a meal, using organic and locally sourced ingredients, including those grown in a greenhouse next door. George cultivates these ingredients to deliver on his promise of “good, flavorful, nutritious food that gives both joy and health.”

American Flatbread also reflects the best of Vermont’s community traditions—caring for one another. Food is often given to help local hospitals and families in need, and those same citizens give back when they can. Like many Vermont towns, Waitsfield was devastated by Tropical Storm Irene, and among the damaged businesses was American Flatbread. Despite the damage, they were able to reopen in just a few short days thanks to the work of hundreds of local volunteers in both their time and in donations.

Since the fire was lit in that first stone oven, George has stayed true to his vision of a sustainable and community-oriented business, one that has flourished while calling Vermont its home. In honor of American Flatbread turning 30, I ask unanimous consent to have printed in the Record Sally Pollak’s story from the May 28, 2015, edition of the Burlington Free Press.

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

[From the Burlington Free Press, May 28, 2015]

AMERICAN FLATBREAD TURNS 30, THROWS COMMUNITY PARTY

WAITSFIELD—Thirty years ago in his side yard in Warren, George Schenk baked a pizza in his wood-fired field stone oven.

The toppings were simple: olive oil, garlic, Parmesan and herbs from his garden. Schenk didn’t know if it was going to stick to the rock.” Schenk said. “I didn’t know if it was going to bake. The oven had no door.”

It was going to bake. The oven had no door.

Two couples who were hanging out drinking wine shared that pizza, or flatbread in Schenck vernacular.

Their response was like a wave at a football stadium on a snowy day. Schenk said, Smiles moved from face to face.

“We just thought it was great,” said Lynndon Virkler, dean of education at New England Culinary Institute, who was one of the original flatbread eaters. “Because of the nice hot rock it had a nice, crisp crust. And real simple, pure flavors.

What was meant to be a side dish became the “highlight of the evening.” Virkler said. He had met Schenk—a ski bum—five years earlier in the kitchen at Sam Ruper’s, a Warren restaurant. Virkler’s chef and Schenk was a salad maker with creativity to make: from building the oven to splitting wood and making fire to kneading the dough.

“I was looking for a professional cooking opportunity that felt right,” Schenk said. “Not necessarily being on a line behind closed doors.”

Schenk’s pizza—American Flatbread—has been around ever since: never behind closed doors and often outside. It started once a week at Tucker Hill Inn before Schenk opened American Flatbread at Lareau Farm in Waitsfield in 1992. That restaurant spawned a dozen American Flatbreads in New England, one in Hawaii and one in British Columbia.

American Flatbread will be available to all near Waitsfield, when the year 2015 arrives. Schenk is celebrating American Flatbread’s 30 years of flatbread with free pizza and salad at his Waitsfield restaurant. Bigger than the birthday party, the event is to recognize community members and their communities in a variety of ways, he said.

“It’s the whole range of human experience,” Schenk said, listing the spheres of people and organizations he intends to honor: religious, local government, volunteer fire and ambulance personnel, people who serve seniors and the ill and injured, those who are involved in the arts and work to protect the environment.

“Here in this small valley there are 54 registered nonprofits,” Schenk said.

Schenk, who spoke of the help his business received after two floods—in 1998 and 2011—damaged the restaurant and grounds at Lareau Farm, site of American Flatbread. “Over 400 people helped us dig out,” Schenk said. “People donated tractors, cleaned firewood, mucked out the basement, cleaned debris. In the absence of that help, this little business would have failed.”

Money also was donated, including a $25,000 interest-free loan.

“People get really severely about money,” Schenk said. But this loan was without that kind of attitude. The check came with a post-it note that read: “Thinking of you.”

With Schenk repaying an installment of $1,000, the check was returned un-cashed, he said.
"In various iterations that story repeated itself over and over," Schenk said. "With acts of profound kindness, at a time of need and loss.

The celebration next Saturday is to do something "nice," Schenk said—choosing with care a word an English teacher advised him long ago to stay away from.

Words do not do justice. Over the years they have achieved a place of importance in his business.

The restaurant in Waitsfield has gardens that supply flatbreads and salad, a campfire on the stone patio, and banners printed with Schenk's writings on food, family, community, philosophy, and social issues.

His compositions, which he calls "dedications," appear in the menus at American Flatbread. Schenck has written more than 1,500 over the past 28 years.

"I have often felt as though if I didn't write, the flatbread wasn't complete, it wasn't as good," Schenk said. "Maybe in truth, I was not as good or complete. It provided an internal discipline that I needed."

In his semi-retirement, Schenk, 62, is reading through the archive of his dedications with plans to publish them in a book.

Reading through his dedications, the ones that emerge as most meaningful to him are about the time he spent raising his two children, now grown, Schenk said."I was acutely aware that those days and events are past and will never come again," Schenk said. "The dedications captured something about their childhoods and my experiences that I wouldn't otherwise have."

A dedication called "The Family Bed" is on the porch at American Flatbread. It reads in part:

"We are together. Laughing and talking, getting ready for bed. 'Read to me first,' says Willis who is three. I look at Hanna, half grown at eight years, she looks back at me with patience. 'Pick out your books and jump into bed, I'll be with you in just a minute.' (I go downstairs and fill the old stove with big chunks of wood. It is cold for April.) I hop back up, two stairs at a time, and join them in the big bed.

Nearby is a dedication titled "Children and the Kitchen." Schenk wrote:

"Curious about the goings on in a kitchen. It is important to nurture this curiosity so that they have as their own the skills and care of good cooking. Almost all food work, from the garden to washing dishes, including knife-work, is child-friendly."

DREAMING IN THE DIRT

The garden is where Schenk prefers to spend time these days. He has a plot in the staff garden at Flatbread, and he works in a greenhouse at Lareau Farm.

Schenk loves the physical activity of gardening inside in sunshiny and fresh air. He has a particular interest in the nutrient content of the soil, and values the way garden work helps produce food that is "nutrient dense" and rich in flavor, Schenk said.

"There's a kind of psychological peace and health that comes with the work," he said. "Our work really can guide us to health-affirming food."

He has built in his garden a structure he calls a "soil invertebrate condominium."

Soil insects and worms, stimulate soil bacteria, which improve the biology and chemistry of the soil. The creatures also aerate the soil, and help with pest control. They allow him to play in the dirt, and peek into that "magic place" where they live.

"I've come to take an enormous amount of happiness from this work, and peace," Schenk said last week in his garden. "As I become older, that peace and well being has become even more meaningful. My goal wasn't to go out and create a pizza empire. It was to have a healthy and happy life."

He sold his restaurant development group a few years ago, and now works as a Flatbread consultant. Thursday, he trucked backets of clay gathered at Lareau Farm and slippering alders from a swamp in Roxbury to Rockport, Maine, to build an oven for a new American Flatbread restaurant.

"It was about letting go of my ego," Schenk said of selling the development group. "When we idealize the American corporate dream and growth, that's what we see and hold up as a model of success. "I got caught up in someone else's dream. As I grew, I came to realize that it wasn't my dream."

Schenk dreams in the dirt these days, in a place he describes as teeming with activity. "Systems that are more complex tend to be more stable," he said. "It's stability that we're looking for in our lives."

TRIBUTE TO LAURA PECHAITIS

Mr. BROWN. Mr. President, I rise today to honor the career of Laura Pechaitis, a policy advisor who has made a profound difference in the lives of thousands of Ohioans. For 13 years, I have been honored to have Laura on my staff, where she has helped veterans dealing with problems larger than life.

From the moment Laura contacted my then-congressional office about a job, I should have recognized that I was encountering a woman of uncharacteristic zeal and dedication. Laura wrote to me after she—along with her husband, Theodore, and two sons, Marc and Scott—had moved back home to Ohio from New York. She had worked for 18 years in the New York Assembly for Speaker "Mike" Bragman as his director of constituent services. During her time in the New York Assembly she helped develop a program used by all assembly offices to track and manage casework. Hiring her should have been an obvious decision, but it was only after she had written to me three times that I finally recognized the dedication and passion of the person I was dealing with. Hiring Laura has made a difference in the lives of thousands of Ohioans.

On my staff, Laura primarily focused her efforts on assisting Ohio’s veterans. Our veterans and servicemembers dedicate their lives to our Nation, and Laura worked to make sure that they received the respect, gratitude, and assistance befitting their service. Inspired by her father—a World War II naval veteran—Laura has been committted all of her adult life to serving those who served us. As a student at Miami University, she helped form an auxiliary for the ROTC program, serving as its commander.

She helped all generations of veterans. She helped men who stormed the beach on D-day secure long-overdue medals they had earned, and she helped recent Iraq war veterans access VA benefits to attend college and transition to civilian life. Her ability to resolve seemingly intractable cases was legendary. For veterans who had been waiting months without attention, she was able to expedite their cases and get them the attention they deserved, many within 24 hours. One constituent had been told by the VA that his claim would take 20 days to process. Frustrated and distraught, he called Laura while driving to the VA clinic. By the time he pulled into the VA clinic, Laura had resolved the issue. Another veteran in Columbus had lived in her house for 27 months, but she was too afraid to unpack out of fear of being evicted. Laura helped ensure that this veteran had the VA benefits that would enable her to stay in her home.

Going above and beyond the call of duty was the norm for Laura. One veteran even had a term for her dedication, dubbing such exemplary service the “typical Pechaitis fashion.” Another constituent from Warren was having his TRICARE bills denied by the VA. Not only did Laura have the issue resolved within 24 hours, but she worked to help him reenroll in college and work so far as to put him in touch with a mentor at a local university to make sure he went back to school.

Her drive for public service, however, went beyond veterans. In fact, long before he became the star of the Cleveland Cavaliers, a young LeBron James used to come into my Akron office to spend time with a friend whose mother worked for me. During one those visits, Laura helped LeBron James register for the draft—the Selective Service draft that is, not the NBA draft.

Since 2006, Laura helped coordinate more than 10,000 cases for veterans and Active-Duty members of the armed services. She brought the same energy and empathy to each one. Laura has been a champion of veterans in Ohio, and the breadth of her impact is remarkable. She has been a model public servant, and I am proud to have worked with her.

Our actions in Congress are closely watched, but what too often goes unnoticed is the work of dedicated staff members whose only goal is to serve those we are elected to represent. I ask that my colleagues join me in thanking Laura Pechaitis for her service to our Nation.

VOTE EXPLANATION

Mr. MENENDEZ. Mr. President, I was unavoidably detained for rollcall vote No. 196 on cloture on the motion to proceed to H.R. 2048. Had I been present, I would have voted yea.
REMEMBERING AMMALINE HELEN HOWARD

Mr. MANCINICH. Mr. President, I wish to honor Ammaline Helen “Amy” Howard, a beloved member of the Charleston, WV community.

The Howard family is a great, well-respected family in my beautiful State and I do call the members of this family my dear friends. I had the privilege of meeting Amy, who was affectionately known by so many as Aunt Amy, many times. She was always humble, welcoming, and supportive. She was a pillar in the Howard family, standing strong on values with a captivating yet calming spirit. Her nieces and nephews knew if their parents told them “no” to something, that they could go to Aunt Amy and she would find a way to help them out.

Put simply, individuals like Amy stand out. She was the epitome of what West Virginians are all about, with her welcoming nature and unwavering commitment to help those in need. Amy loved to walk and visit the mall to get her favorite coffee and biscuits, and remained active until her late 90s.

I recall one time being invited to Aunt Amy’s basement kitchen where the shelves were filled with refrigerators, microwaves, and every cooking utensil you can think of. Not many people were invited down to her kitchen, so I knew I was really taken in as part of the family. She truly had that effect on people—she was a second home, and you were considered family. And family comes first.

Amy was a beloved aunt, friend, and inspiration to the Charleston community. Her glowing smile and positive attitude were contagious, and will live on in the memories and hearts of all those who had the privilege of knowing her. Amy’s service was greatly appreciated and will certainly never be forgotten.

RECOGNIZING STANFORD OVSHTINSKY

Mr. PETERS. Mr. President, I wish to recognize Mr. Stanford Ovshtinsky, on the occasion of his induction into the National Inventors Hall of Fame. Mr. Ovshtinsky, the eldest son of working-class Jewish parents in Akron, OH, displayed an early conviction to improving the lives of all Americans. This conviction inspired a lifelong dedication to advancing labor rights, civil rights, and civil liberties. Despite no formal education after receiving his high school diploma, he became one of the 20th century’s most prolific inventors. His vision and concern for the greater good led to over 400 patents, including major contributions to flexible solar panels, computer memory, flat-screen TV displays, and the development of the nickel-metal hydride battery.

Mr. Ovshtinsky’s belief in the ability of science and technology to advance environmental stewardship and quality of life was rooted in his experience as a member of the Workmen’s Circle, a Jewish fraternal organization committed to community, an enlightened Jewish culture, and social justice since it was established in 1900. The Workmen’s Circle inspired Mr. Ovshtinsky to put his passion for science and advanced technology dedicated to heightening economic opportunity and improving people’s relationship with the environment around the world. After starting his career as a toolmaker in Akron, Ovshtinsky moved to Detroit in 1952, where he was director of research at the Hupp Corporation and established General Automation with his younger brother, Herb Ovshtinsky.

At General Automation, Mr. Ovshtinsky continued his research on intelligent machines, as well as early work on various information and energy technologies. He was invited by Wayne State University to conduct research at the university’s neuroscience lab, where he discovered the connection between the amorphous structure of brain cells and amorphous glassy materials. This discovery encouraged Mr. Ovshtinsky and his brother to construct the Ovitron, a mechanical model of a nerve cell constructed of thin layers of amorphous material, creating the first nanostructure, and establishing the foundation of his research for decades.

Following his experience at General Automation, Mr. Ovshtinsky founded Energy Conversion Devices in 1960 with Iris Dibner, who would become his wife and partner for over 50 years. It was at Energy Conversion Devices that he established Ovonics—the process of turning glassy, thin film semiconductors with the application of low voltage and current—developing the first solid state battery. This invention proved the lives of all Americans. This innovation inspired a lifelong dedication to advancing labor rights, civil rights, and civil liberties. Despite no formal education after receiving his high school diploma, he became one of the 20th century’s most prolific inventors. His vision and concern for the greater good led to over 400 patents, including major contributions to flexible solar panels, computer memory, flat-screen TV displays, and the development of the nickel-metal hydride battery.

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The family tells me that each year the various clans all give a report to the family, and the details are recorded in a leather-bound journal. As you can imagine, this journal traces not just the history of the Stevens family but also provides a view into the history of Oregon and its peoples.

And that is part of what makes family reunions so wonderful. They don’t just connect us to the aunts, uncles and cousins we don’t see very often; they also connect us to our past, our heritage. Family reunions are a place to share family lore, shared values, and traditions.

I’m thrilled to recognize the Stevens family 125th annual reunion. I hope to see the Stevens family tradition continue for many, many years to come.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and a withdrawal which were referred to the appropriate committees.

MESSAGE FROM THE HOUSE

At 2:32 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 802. An act to authorize the Secretary of State and the Administrator of the United States Agency for International Development to provide assistance to support the rights of women and girls in developing countries, and for other purposes.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 336. An act to direct the Administrator of General Services, on behalf of the Secretary of the Interior, to convey certain Federal property located in the State of Alaska to the Municipality of Anchorage, Alaska; to the Committee on Homeland Security and Governmental Affairs.

H.R. 404. An act to authorize early repayment of obligations to the Bureau of Reclamation within the Northport Irrigation District in the State of Washington, to convey certain Federal property located in the State of Alaska to the Municipality of Anchorage, Alaska; to the Committee on Energy and Natural Resources.

H.R. 333. An act to revoice the charter of incorporation of the Miami Tribe of Oklahoma at the request of that tribe, and for other purposes; to the Committee on Indian Affairs.

H.R. 944. An act to reauthorize the National Estuary Program, and for other purposes; to the Committee on Environment and Public Works.

H.R. 979. An act to designate a mountain in the John Muir Wilderness of the Sierra Nevada as “Sky Point”; to the Committee on Energy and Natural Resources.

H.R. 1335. An act to amend the Magnuson-Stevens Fishery Conservation and Management Act to provide flexibility for fishery managers and stability for fishermen, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 1493. An act to protect and preserve international cultural property at risk due to political instability, armed conflict, or natural or other disasters, and for other purposes; to the Committee on Foreign Relations.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–1752. A communication from the Acting Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled “Defense Federal Acquisition Regulation Supplement: Approval Threshold for Time-and-Materials and Labor-Hour Contracts” (RIN 0700–A160) (DFARS Case 2014–D020) received during adjournment of the Senate in the Office of the President of the
Senate on May 26, 2015; to the Committee on Armed Services.

EC–1758. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Vice Admiral Nanette M. DeRenzl, United States Navy, and her advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC–1759. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Steven A. Hummer, United States Marine Corps, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–1765. A communication from the Acting Director of the Office of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Defense Federal Acquisition Regulation Supplement: Appendix F—Energy Receiving Reports” ([RIN0750–A146] (DFARS Case 2014–D024)) received during adjournment of the Senate in the Office of the President of the Senate on May 26, 2015; to the Committee on Armed Services.

EC–1766. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Metconazole; Pesticide Tolerances” ([FRL No. 9927–11]) received during adjournment of the Senate in the Office of the President of the Senate on May 27, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1767. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Pesticide Tolerances” ([FRL No. 9927–75]) received during adjournment of the Senate in the Office of the President of the Senate on May 27, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1756. A communication from the President of the United States, transmitting, pursuant to law, the report of a rule entitled “Federal Home Loan Bank Community Support Program—Administrative Amendments” ([RIN2590–AA38]) received in the Office of the President of the Senate on May 27, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC–1760. A communication from the Secretary of the Treasury, transmitting, pursuant to law, the report of the periodic report of the national emergency with respect to North Korea that was declared in Executive Order 13466 of June 26, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–1761. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to the Western Balkans that was declared in Executive Order 13400 of June 26, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC–1762. A communication from the Director of the Office of the Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Completion of Requirement to Promulgate Standards” ([RIN2609–A942] (FRL No. 9928–25–OAR)) received during adjournment of the Senate in the Office of the President of the Senate on May 27, 2015; to the Committee on Environment and Public Works.

EC–1763. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Implementation Plans; Alaska” ([FRL No. 9928–17–Region 10]) received in the Office of the President of the Senate on May 22, 2015; to the Committee on Environment and Public Works.

EC–1764. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “State Implementation Plans: Response to Petition for Rulemaking; Restatement and Updated of EPA’s SBM Policy Applicable to SIPs; Findings of Substantial Inadequacy; and SIP Calls to Amend Provisions Applying to Excess Emissions During Period of Partial Plant Disruption” ([RIN2609–AR68] (FRL No. 9924–05–OAR)) received in the Office of the President of the Senate on May 22, 2015; to the Committee on Environment and Public Works.

EC–1765. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Implementation Plans; New York: Infrastructure SIP for the 2008 Lead NAAQS” ([FRL No. 9927–15–Region 2]) received during adjournment of the Senate in the Office of the President of the Senate on May 27, 2015; to the Committee on Environment and Public Works.

EC–1766. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Air Quality Implementation Plans; Maryland: Determination of Attainment of the 2008 8-Hour Ozone National Ambient Air Quality Standard for the Baltimore, Maryland Moderate Nonattainment Area” ([FRL No. 9928–42–Region 2]) received during adjournment of the Senate in the Office of the President of the Senate on May 27, 2015; to the Committee on Environment and Public Works.

EC–1767. A communication from the Chairman, Nuclear Regulatory Commission, transmitting, pursuant to law, a report entitled “Report to Congress on Abnormal Occurrences: Fiscal Year (FY) 2014”; to the Committee on Environment and Public Works.

EC–1768. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled “Interim Staff Guidance for Emergency Planning Exemption Revisions Pertaining to Fuel Storage Power Plants” ([NSIR/DPR–ISG–02]) received during adjournment of the Senate in the Office of the President of the Senate on May 26, 2015; to the Committee on Environment and Public Works.

EC–1769. A communication from the Assistant Secretary, Legislative Affairs, Department of Commerce, transmitting, pursuant to law, a report on the activities of the Community Relations Service for the period of the Complex, North Carolina” ([RIN0648–BD79]) received during adjournment of the Senate in the Office of the President of the Senate on May 27, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1770. A communication from the Assistant Attorney General, Office of Legislative Counsel, transmitting, pursuant to law, a report of proposed legislation entitled “Tribal Equal Access to Voting Act of 2015”; to the Committee on Indian Affairs.

EC–1771. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report on the activities of the Civil Rights Division, Office of the Assistant Attorney General, entitled “Civil Rights Division’s Report on the Civil Rights Division’s Response for Fiscal Year 2014; to the Committee on Judiciary.

REPORTS OF COMMITTEES
The following reports of committees were submitted:
By Mr. SHELBY, from the Committee on Banking, Housing, and Urban Affairs, with amendment: S. 1484. An original bill to improve accountability and transparency in the United States financial regulatory system, protect asset owners, promote sensible relief to financial institutions, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS
The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:
By Mr. MARKLEY (for himself, Mr. SCHATZ, Mr. BLUMENTHAL, Ms. WARREN, Mr. SCHUMER, Mr. DURBIN, Mr.
S. 1475. A bill to provide for the creation of a safe harbor for defendants in medical malpractice actions who demonstrate adherence to clinical practice guidelines; to the Committee on the Judiciary.

By Mrs. BOXER (for herself and Mr. BURGER):

S. 1476. A bill to require States to report to the Attorney General certain information regarding shooting incidents involving law enforcement officers, and for other purposes; to the Committee on the Judiciary.

By Mr. ROUND:

S. 1477. A bill to require a report on the future mix of aircraft platforms for the Armed Forces; to the Committee on Armed Services.

By Mr. ROUND:

S. 1478. A bill to require the Secretary of Defense to develop a comprehensive plan to support civil authorities in response to cyber attacks by foreign powers, and for other purposes; to the Committee on Armed Services.

By Mr. INHOFE (for himself, Mr. MARKES, Mr. ROY, Mrs. BOXER, Mr. CRAPRO, and Mr. BOOKER):

S. 1479. A bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to modify provisions relating to grants, and for other purposes; to the Committee on Environment and Public Works.

By Mr. BENNET:

S. 1480. A bill to provide limits on bundling, to reform the lobbying registration process, and for other purposes; to the Committee on Rules and Administration.

By Mr. DURBIN (for himself and Mr. WHITE):

S. 1481. A bill to direct the Administrator of the Federal Emergency Management Agency to enter into an agreement with the National Academy of Sciences to conduct a study on urban flooding, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. GRASSLEY (for himself, Mr. LEARY, and Mr. LEE):

S. 1482. A bill to improve and reauthorize provisions relating to the application of the antitrust laws to the need-based educational aid; to the Committee on the Judiciary.

By Mr. ALEXANDER:

S. 1483. A bill to direct the Secretary of the Interior to study the suitability and feasibility of designating the James K. Polk Home in Columbia, Tennessee, as a unit of the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SULLIVAN:

S. 1484. An original bill to improve accountability and transparency in the United States financial regulatory system, protect access to capital for consumers, provide sensible relief to financial institutions, and for other purposes; from the Committee on Banking, Housing, and Urban Affairs; placed on the calendar.

By Ms. BALDWIN:

S. 1485. A bill to provide for the advancement of energy-water efficient research, development, and deployment activities; to the Committee on Energy and Natural Resources.

By Mr. DURBIN (for himself, Mr. BROWN, Mr. RHEID, Ms. WARNER, Mr. SANDERS, and Ms. BALDWIN):

S. 1486. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit to Patriot employers, and for other purposes; to the Committee on Finance.

ADDITIONAL COSPONSORS

S. 1484. At the request of Mr. Murphy, the name of the Senator from Michigan (Mr. PIETERS) was added as a cosponsor of S. 514, a bill to amend the Elementary and Secondary Education Act of 1965 to establish the Promise Neighborhoods program.

S. 1469. At the request of Mr. THUNE, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 669, a bill to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State.

S. 1476. At the request of Mr. GRASSLEY, the name of the Senator from Missouri (Mr. BUCRY) was added as a cosponsor of S. 746, a bill to provide for the establishment of a Commission to Accelerate the End of Breast Cancer.

S. 1476. At the request of Mr. REED, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 746, a bill to provide for the establishment of a Commission to Accelerate the End of Breast Cancer.

S. 798. At the request of Mr. VITTER, the names of the Senator from Montana (Mr. DALES) and the Senator from Alabama (Mr. SESSIONS) were added as cosponsors of S. 798, a bill to provide for notice to, and input by, State insurance commissioners when requiring an insurance company to serve as a source of financial strength or when the Federal Deposit Insurance Corporation places a lien against an insurance company’s assets, and for other purposes.

S. 1411. At the request of Mr. MURPHY, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 1121, a bill to amend the Horse Protection Act to designate additional unlawful acts under the Act, strengthen penalties for violations of the Act, improve Department of Agriculture enforcement of the Act, and for other purposes.

S. 1410. At the request of Mr. BARRASSO, the names of the Senator from North Carolina (Mr. TILLIS), the Senator from Tennessee (Mr. ALEXANDER), the Senator from Montana (Mr. DAINES), the Senator from Indiana (Mr. COATS), the Senator from Texas (Mr. CORNYN) and the Senator from Nevada (Mr. HELLER) were added as cosponsors of S. 1140, a bill to require the Secretary of the Army and the Administrator of the Environmental Protection Agency to propose a regulation revising the definition of the term “waters of the United States”, and for other purposes.
At the request of Mrs. Feinstein, the names of the Senator from Minnesota (Ms. Klobuchar), the Senator from New York (Mr. Schumer) and the Senator from Wyoming (Mr. Barrasso) were added as cosponsors of S. 1179, a bill to amend title 39, United States Code, to extend the authority of the United States Postal Service to issue a semipostal to raise funds for breast cancer research, and for other purposes.

At the request of Mr. Flake, the names of the Senator from Texas (Mr. Cornyn) and the Senator from Georgia (Mr. Isakson) were added as cosponsors of S. 1178, a bill to prohibit discrimination in adoption or foster care placements based on the sexual orientation, gender identity, or marital status of any prospective adoptive or foster parent, or the sexual orientation or gender identity of the child involved.

At the request of Mr. Heller, the name of the Senator from Colorado (Mr. Gardner) was added as a cosponsor of S. 1407, a bill to promote the development of renewable energy on public land, and for other purposes.

At the request of Mr. Franken, the name of the Senator from Minnesota (Ms. Klobuchar) was added as a cosponsor of S. 1412, a bill to amend the Internal Revenue Code of 1986 to qualify homeless youth and veterans who live in transitional housing full-time for purposes of the low income housing tax credit.

At the request of Mrs. Feinstein, the names of the Senator from Nebraska (Mrs. Fischer) and the Senator from Wisconsin (Mr. Johnson) were added as cosponsors of S. 1182, a bill to exempt application of JSA attribution rule in case of existing agreements.

At the request of Ms. Cantwell, the name of the Senator from Oregon (Mr. Merkley) was added as a cosponsor of S. 1193, a bill to amend the Internal Revenue Code of 1986 to make permanent and expand the temporary minimum credit rate for the low-income housing tax credit program.

At the request of Mr. Cardin, the name of the Senator from Kansas (Mr. Moran) was added as a cosponsor of S. 1212, a bill to amend the Internal Revenue Code of 1986 and the Small Business Act to expand the availability of employment stock ownership plans in S corporations, and for other purposes.

At the request of Mrs. Feinstein, the name of the Senator from Nebraska (Mrs. Fischer) was added as a cosponsor of S. 1300, a bill to amend the section 221 of the Immigration and Nationality Act to provide relief for adoptive families from immigrant visa fees in certain situations.

At the request of Mr. Durbin, the name of the Senator from Hawaii (Mr. Schatz) was added as a cosponsor of S. 1375, a bill to designate as wilderness certain Federal portions of the red rock canyons of the Colorado Plateau and the Great Basin Deserts in the State of Utah for the benefit of present and future generations of people in the United States.

At the request of Mrs. Gillibrand, the name of the Senator from Oregon (Mr. Wyden) was added as a cosponsor of S. 1382, a bill to prohibit discrimination in adoption or foster care placements based on the sexual orientation, gender identity, or marital status of any prospective adoptive or foster parent, or the sexual orientation or gender identity of the child involved.

At the request of Mr. Heller, the name of the Senator from Colorado (Mr. Gardner) was added as a cosponsor of S. 1407, a bill to promote the development of renewable energy on public land, and for other purposes.

At the request of Mr. Franken, the name of the Senator from Minnesota (Ms. Klobuchar) was added as a cosponsor of S. 1412, a bill to amend the Internal Revenue Code of 1986 to qualify homeless youth and veterans who live in transitional housing full-time for purposes of the low income housing tax credit.

At the request of Mr. Schatz, the name of the Senator from New Hampshire (Ms. Ayotte) was added as a cosponsor of S. Con. Res. 4, a concurrent resolution supporting the Local Radio Freedom Act.

At the request of Mr. Stabenow, the name of the Senator from Ohio (Mr. Brown) was added as a cosponsor of S. Res. 134, a resolution expressing the sense of the Senate that the President and the Secretary should ensure that the Government of Canada does not permanently store nuclear waste in the Great Lakes Basin.

At the request of Mr. Schatz, the name of the Senator from New Hampshire (Ms. Ayotte) was added as a cosponsor of S. Res. 143, a resolution supporting efforts to ensure that students have access to debt-free higher education.

At the request of Mr. Wyden, the name of the Senator from Wisconsin (Ms. Baldwin) was added as a cosponsor of amendment No. 1455 intended to be proposed to H.R. 2048, a bill to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance and trap and trace devices, and use other forms of information gathering for foreign intelligence, counter-terrorism, and criminal purposes, and for other purposes.

Amendment No. 1455

At the request of Mr. Wyden, the name of the Senator from Wisconsin (Ms. Baldwin) was added as a cosponsor of amendment No. 1455 intended to be proposed to H.R. 2048, a bill to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance and trap and trace devices, and use other forms of information gathering for foreign intelligence, counter-terrorism, and criminal purposes, and for other purposes.

Statements on Introduced Bills and Joint Resolutions

By Mrs. Boxer (for herself and Mr. Booker):

S. 1476. A bill to require States to report to the Attorney General certain information regarding shooting incidents involving law enforcement officers, and for other purposes; to the Committee on the Judiciary.

Mr. BOOKER. Mr. President, I am proud to join with Senator Boxer to introduce the Police Reporting of Information, Data, and Evidence Act of 2015, PRIDE Act, a critical data collection bill designed to advance public safety and strengthen police-community relations and foster mutual trust and respect. I thank Senator Boxer for her leadership on this issue.

A critical issue in our Nation today is the issue of trust between law enforcement and the communities they serve. Tragic events across the country—in New York, Ferguson, North Charleston, Baltimore, and subsequent protests—remind us how critical trust is to the fabric of democracy. These incidents raised the public’s awareness and sparked a national debate about how police and citizens interact and how they should interact. But the issue is not unique now. The Kerner Commission’s 1968 report on urban violence declared that minorities believed a “double standard” of justice and protection existed for whites and blacks. Sadly, that distrust continues today. It is contrary to who we are and what we stand for.

Our Nation was founded on shared and timeless values. Liberty and justice for all. Equal justice under law. The former was enshrined in our founding charter. The latter was written on the marble of Supreme Court. But when any American feels that they have not been treated fairly and not understood, those values. That makes the issue of police and community relations a problem for all of us—not just a specific city or a specific race. It is a problem for the Nation as a whole. We must do all we can to restore justice to our criminal justice system. That includes tracking when officers use deadly or serious force against people in the community.

We must ensure that police officers feel respected and honored. Each day, law enforcement officers put their lives on the line to keep our communities safe. They deserve our respect. They should not feel attacked or undervalued. They routinely make split-second decisions every day that do not escalate into uses of force. As the senseless killings of NYPD Officers Rafael Ramos and Wanjian Liu remind us, officers often serve the public at considerable personal risk. We should provide them with the tools to do their jobs effectively and safely. That includes tracking the uses of force by civilians against our men and women in uniform.

To bridge the wide trust gap between law enforcement and citizens, we must shine a light on the problem. The first step to solve any problem is to be honest about the facts. We need objective data. We need to study trends. We need to examine the evidence. That is why I am encouraged by the words of former FBI Director James Comey, who said “We simply must find ways to see each other more clearly. Part of that has to involve collecting and sharing better
information about encounters between police and citizens, especially violent encounters.”

For too long, the way we have collected information and data from States and local governments on violent encounters between law enforcement officers and civilians has been inconsistent. Under current law, demographic data regarding officer-involved shootings is inconsistently reported to the FBI under the Uniform Crime Reporting Program. According to a study by the Washington Post, since 2011, less than three percent of the Nation’s 18,000 State and local police agencies reported fatal shootings by their officers to the FBI. That is unacceptable. Incomplete and unreliable reporting makes it tougher to get a true scope of the problem and more difficult to obtain a policy solution.

The PRIDE Act would fix that problem and increase accountability for law enforcement by creating a comprehensive national data collection program. It would require law enforcement at the State, local, and tribal levels to report to the Attorney General information regarding police-involved shootings and any incident in which use of force results in a death of an officer or civilian results in serious injury or death. By making the voluntary reporting of uses of force by, and against, police officers mandatory, we ensure that more accountability and transparency will exist between the police and the citizens they protect.

I have worked closely with Senator BOXER on crafting this legislation, and appreciate my friend and colleague welcoming several recommendations to strengthen the bill, including clarifications that use-of-force policies for law enforcement officers be made publicly available. I believe this change would promote transparency. It shines a spotlight on police shootings and use of force involving police and civilians, which in turn enhances public confidence in our justice system.

I also appreciate that the bill includes grant funds for public awareness campaigns designed to gain information from the public on uses of force against police officers. This was a recommendation drawn from being a former mayor. I have seen first-hand how helpful tip lines, hotlines, and public service announcements can be in helping law enforcement capture dangerous people. When someone uses violence against our men and women in uniform, we must respond quickly. That means we should do all that we can to ensure that information on the suspect gets out to the public in a timely manner. That way, the offender can promptly be caught and brought to justice.

Lastly, I recommended the bill include grant funds for use of force training for law enforcement agencies and personnel, including de-escalation training. Officers deserve to receive the best and most up to date training we can offer. They must feel confident that they are trained to use force in a way that allows them to safely come home to their families. Equally, the public deserves to have confidence that when an officer uses force he or she does so appropriately. That means training officers that use of force is a last resort and officers know how to de-escalate a situation to avoid using force at all.

Many of the bill’s provisions were recommendations from the President’s Task Force on 21st Century Policing. It put forth a series of recommendations aimed at rebuilding trust between the law enforcement officers and the communities they protect. Its recommendations included use of force data collection, de-escalation training, transparency, and officer safety measures. I am glad that many of the task force recommendations were included in this bill.

It is time we address the plague of shootings involving police officers in our country. We must come together to ensure that we do see each other clearly and restore public confidence in our system of justice. The first step is to shine a light on the problem and collect accurate data. I thank Senator BOXER again for her leadership, and I urge my colleagues to support the PRIDE Act and work towards its speedy passage.

By Mr. DURBIN (for himself and Mr. WHITEHOUSE):

S. 1481. A bill to direct the Administrator of the Federal Emergency Management Agency to enter into an agreement with the National Academy of Sciences to conduct a study on urban flooding, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the Record.

There being no objection, the text of the bill was ordered to be printed in the Record, as follows:

S. 1481

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 “Urban Flooding Awareness Act of 2015”.

SEC. 2. URBAN FLOODING DEFINED.

(a) In General. The term “urban flooding” means the inundation of property in a built environment, particularly in more densely populated areas, caused by rain falling on impervious surface and overwhelming the capacity of drainage systems, such as storm sewers.

(b) Inclusions.—In this Act, the term “urban flooding” includes:

(1) situations in which stormwater enters buildings through windows, doors, or other openings;
(2) water backup through sewer pipes, showers, toilets, sinks, and floor drains;
(3) seepage through walls and floors;
(4) the accumulation of water on property or public rights-of-way; and
(5) the overflow from water bodies, such as rivers and lakes.

(c) Exclusion.—In this Act, the term “urban flooding” does not include flooding in undeveloped or agricultural areas.

SEC. 3. URBAN FLOODING STUDY.

AGREEMENT WITH NATIONAL ACADEMY OF SCIENCES.—The Administrator of the Federal Emergency Management Agency shall enter into an agreement with the National Academy of Sciences to conduct a study on urban flooding in accordance with the requirements of this section. The primary focus of the study shall be on urban areas outside of special flood hazard areas, as defined by the Federal Emergency Management Agency.

(b) CONTENTS.—

(1) General Review and Evaluation.—In conducting the study, the National Academy of Sciences shall review and evaluate the latest available research, laws, regulations, policies, best practices, procedures, and institutional knowledge regarding urban flooding.

(2) Specific Issue Areas.—The study shall include, at a minimum, an examination of the following:

(A) The prevalence and costs associated with urban flooding events across the United States, with a focus on the largest metropolitan areas and any trends in frequency and severity over the past 2 decades.

(B) The adequacy of existing federally provided flood risk information and the most cost-effective methods to identify, map, or otherwise characterize the risk of property damage from urban flooding on a property-by-property basis, whether or not a property is in or adjacent to a 1-percent (100-year) flood plain, and the potential for training and certifying local experts in flood risk characterization as a service to property purchasers and owners and their communities.

(C) The causes of urban flooding and its apparent increase over the past 20 years, including the impacts of—

(i) global climate change;
(ii) increasing urbanization and the associated increase in impervious surfaces; and
(iii) undersized, deteriorating, and otherwise ineffective stormwater infrastructure.

(D) The most cost-effective strategies, policies, technologies, and legal frameworks against a large-scale, non-profit partnerships. Such innovations may include smart home technologies for implementing innovative strategies and practices on government-controlled land, such as Federal, State, and local roads, parking lots, alleys, sidewalks, buildings, recreational areas, and open space.

(E) The role of the Federal Government and State governments, as conveyors, funders, and advocates, in spurring market and public private partnerships based on non-profit partnerships. Such innovations may include smart home technologies for improved flood warning systems connected to high-resolution weather forecast data and Internet- and cellular-based communications systems.

(F) The most sustainable and effective methods for funding flood risk and flood damage reduction at all levels of government, including—

(i) the potential for establishing a State revolving fund; and
(ii) stormwater fee programs using impervious surface as the basis for fee rates and
Section 1. Short Title. This Act may be cited as the "Need-Based Educational Aid Act of 2015".

Section 2. Extension Relating to the Application of the Antitrust Laws to the Award of Need-Based Educational Aid. Section 568 of the Higher Education Amendments of 1992, as amended, is amended—

(a) in paragraph (2), by striking "10 years" and inserting "12 years";

(b) in paragraph (3), by striking "the National Academy of Sciences" and inserting "the National Academy of Sciences, the National Academy of Engineering, the National Academy of Medicine, and the National Science Foundation"; and

(c) in paragraph (4), by striking "10 years" and inserting "12 years".

(S. 1476)

Mr. LEAHY. Mr. President, today I am joining with Senators GRASSLEY and LEE in introducing legislation to extend for 7 years the antitrust exemption permitting colleges and universities to collaborate on issues of need-based financial aid. This exemption, which was first enacted by Congress in 1994, allows colleges and universities that admit students on a need-blind basis to collaborate on the formula used to determine how much families can pay for college. The Need-Based Educational Aid Act of 2015 is the fourth reauthorization of this exemption, which is set to expire this year.

Congress must always carefully consider the benefits and drawbacks of creating antitrust exemptions to the laws. These laws serve as an important bulwark to protect consumers from anti-competitive conduct. The Government Accountability Office has studied the effect of this particular exemption in the past and concluded that allowing universities to talk among themselves about financial aid policies and procedures has not caused any harm.

Antitrust exemptions should not be a blank check, however, which is why this exemption is not permanent. Our legislation will sunset the exemption once again in 2022 and we have removed one of the permitted activities that no school has ever used. A time-limited exemption ensures that Congress will continue to conduct oversight in order to assess the impact on consumers. I have long been skeptical of permanent antitrust exemptions and the effect they have on the marketplace. For example, I have worked for years with a number of Senators from both parties to repeal the McCarran-Ferguson Act, a permanent exemption for the insurance industry in place since 1945.

Allowing covered universities to focus their resources on ensuring the most qualified students can attend some of the best schools in the nation, regardless of family income, is a bipartisan and bicameral goal. I thank Congressmen Smith and Johnson for introducing this bill in the House and urge the Senate to pass this narrow legislation.

By Mr. DURBIN (for himself, Mr. BROWN, Mr. REED, Ms. WARREN, Mr. SANDERS, and Ms. BALDWIN):

S. 1486. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit to Patriot employers, and for other purposes; to the Committee on Finance.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the Record.

There being no objection, the text of the bill was ordered to be printed in the Record, as follows:

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

SEC. 1. SHORT TITLE. This Act may be cited as the "Patriot Employer Tax Credit Act".

SEC. 2. PATRIOT EMPLOYER TAX CREDIT.

(a) In General.—Subpart D of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

SEC. 458. PATRIOT EMPLOYER TAX CREDIT.

"(a) Determination of Amount.—
‘(1) in General.—For purposes of section 38, the Patriot employer credit determined under this section with respect to any taxpayer who is a Patriot employer for any taxable year of the United States by reason of the Patriot employer credit, includes qualified wages paid or incurred by the Employer.

‘(2) Limitation.—The amount of qualified wages which may be taken into account under paragraph (1) with respect to any employee for any taxable year shall not exceed $15,000.

‘(a) Patriot Employer.—

‘(1) in General.—For purposes of subsection (a), the term ‘Patriot employer’ means, with respect to any taxable year, any taxpayer—

‘(A) which—

‘(i) maintains its headquarters in the United States if the taxpayer (or any predecessor) has ever been headquartered in the United States, and

‘(ii) is not (and no predecessor of which is) an expatriated entity (as defined in section 7874(a)(3)) for the taxable year or any preceding taxable year ending after March 4, 2003,

‘(B) with respect to which no assessable payment has been imposed under section 4980H with respect to any month occurring during the taxable year, and

‘(C) in the case of—

‘(i) a taxpayer which employs an average of more than 50 employees on business days during the taxable year, which—

‘(I) provides compensation for at least 90 percent of its employees for services provided by such employees during the taxable year at an hourly rate (or equivalent thereof) not less than an amount equal to 156 percent of the Federal minimum wage for the year,

‘(II) has a percentage increase in such employees’ wages during the taxable year which—

‘(a) excludes from such determination apprentices and learners that an employer may exclude under the regulations under section 14(a) of the Fair Labor Standards Act of 1938, and

‘(b) if a taxpayer meets the requirements of subparagraph (A) with respect to providing differential wage payments to any employee for any period (without regard to whether such requirements apply to the taxpayer to determine the rate or equivalent thereof) for such payments shall be determined on the basis of the wages which would have been paid by the employer during such period if the employee had not been providing service in the uniformed services.

‘(3) Retirement Plan Requirements.—

‘(A) Minimum Wage.—In determining whether the minimum wage requirements of paragraph (1)(C)(i) are met with respect to 90 percent of a taxpayer’s employees for any taxable year—

‘(i) a taxpayer may elect to exclude from such determination the wage paid or incurred by the uniformed services during such period, and

‘(ii) the taxpayer has in place at all times during the taxable year a written policy for the recruitment of employees who have served in the uniformed services or who are disabled.

‘(B) Retirement Plan.—In determining whether the retirement plan requirements of paragraph (1)(C)(ii)(I) of the employee is not at least 5 percent, and

‘(C) Plan M ust Meet Requirements Without Taking Into Account Social Security and Similar Contributions and Benefits.—A rule similar to the rule of section 416(e) shall apply.

‘(D) Plans Must Meet Requirements Without Taking into Account Social Security and Similar Contributions and Benefits.—For purposes of this subparagraph—

‘(i) in the case of a taxpayer who is a Patriot employer during the taxable year to employees—

‘(A) who perform substantially all of their services for such Patriot employer inside the United States, and

‘(B) with respect to whom—

‘(a) the rules of section 51(b) shall apply.

‘(ii) in the case of any other taxpayer which employs an average of more than 50 employees on business days during the taxable year, the requirements of clause (i) and (II) of subsection (b)(1)(C)(i) are met, and

‘(iii) in the case of any other employee of the taxpayer, the requirements of either subclause (I) or (II) of subsection (b)(1)(C)(i) are met.

‘(D) Special Rules for Agricultural Labor and Railway Labor.—Rules similar to the rules of section 51(b) shall apply.

‘(E) Compensation.—For purposes of subsections (b)(1)(C)(i) and (c), the term ‘compensation’ has the same meaning as qualified wages, except that section 51(c) shall be disregarded in determining the amount of such wages.

‘(a) Aggregate Rules.—For purposes of this paragraph—

‘(i) in General.—All persons treated as a single employee under subsection (a) or (b) of...
section 52 shall be treated as a single tax-

payer.

(2) Special rules for certain require-
ments.—For purposes of applying paragraphs (1)(A) and (1)(B), the Secretary of the Treasury shall:

(A) the determination under subsections (a) and (b) of section 52 for purposes of paragraph (1) shall be made without regard to section 902 (relating to exclusion of foreign corporations), and

(B) if any person treated as a single taxpayer under this subsection (after application of subsection (A)), or any predecessor of such person, was an expatriated entity (as defined in section 877A(a)(2)) for any taxable year ending after March 4, 2003, then all per-
sions treated as a single taxpayer with such person shall be treated as expatriated enti-
ties.

SEC. 3. DEFERRAL TO HAVE CREDIT NOT APPLY.

(1) In general.—A taxpayer may elect to have this section not apply for any taxable year.

(2) Time for making election.—An election under paragraph (1) for any taxable year may be made (or revoked) at any time before the close of the 3-year period beginning on the last date prescribed by law for filing the return for such taxable year (determined without regard to extensions).

SEC. 4. ELECTED TO HAVE CREDIT NOT APPLY.

(1) Election paragraph (1) (or revocation thereof) shall be made in such manner as the Secretary may by regulations prescribe.

(b) elections for interest expense) is amended by re-
designating subsection (n) as subsection (o)

(3) Liberalization of foreign-related interest expense.—The term 'deferred foreign-related interest expense' means the excess, if any, of the foreign-related interest expense for all prior taxable years beginning after December 31, 2015, over the aggregate amount allowed as a deduction under para-

graphs (1) and (2) for all such prior taxable years.

(4) Value of assets.—Except as other-
wise provided by the Secretary, for purposes of subparagraph (A), the value of any asset described in clause (ii) shall be:

(A) determined for purposes of allo-

rating and apportioning interest expense under section 864(e), and

(B) for appropriate adjustments to the de-
termination of the value of stock in any section 902 corporation for purposes of this sub-
section, the market value of such stock at the beginning of the taxable year.

(5) Application to separate categories of income.—This subsection shall be applied separately with respect to the categories of income specified in section 904(d)(1).

(6) Rules for determining whether a taxpayer may prescribe such regulations or other guidance as is necessary or appropriate to carry out the purposes of this subsection, including regulations or other guidance providing—

(A) for the proper application of this sub-
section with respect to changes in ownership of domestic corporations,

(B) that certain corporations that other-
wise would not be members of the affiliated group will be treated as members of the af-
liated group for purposes of this subsection,

(C) for the proper application of this sub-
section with respect to the taxpayer’s share of a deficit in earnings and profits of a sec-
tion 902 corporation,

(D) for appropriate adjustments to the de-
termination of the value of stock in any section 902 corporation for purposes of this sub-
section, and

(E) for the proper application of this sub-
section with respect to interest expense that is directly allocable to income with respect to certain assets.

(b) Effective date.—The amendments sup-

ra; which was ordered to lie on the tax-

able years beginning after December 31, 2015.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1463. Mr. MCCAIN submitted an amend-
ment intended to be proposed to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense and for military con-
struction, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 1464. Ms. BALDWIN submitted an amend-
ment intended to be proposed to the bill S. 286, to amend the Indian Self-

determination and Education Assistance Act to provide further self-governance by Indian tribes, and for other purposes; which was ordered to lie on the table.

SA 1465. Mr. MCCAIN submitted an amend-
ment intended to be proposed to amendment SA 1464 submitted by Mr. McCa

in and intended to be proposed to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1466. Mr. McCAIN submitted an amend-
ment intended to be proposed to amendment SA 1463 submitted by Mr. McCa

in and intended to be proposed to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1467. Mr. CARDIN submitted an amend-
ment intended to be proposed to the bill S. 286, to amend the Indian Self-

determination and Education Assistance Act to provide further self-governance by Indian tribes, and for other purposes; which was ordered to lie on the table.

SA 1468. Mr. CARDIN submitted an amend-
ment intended to be proposed to amendment SA 1463 submitted by Mr. McCa

in and intended to be proposed to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1469. Mr. CARDIN submitted an amend-
mint intended to be proposed to amendment SA 1463 submitted by Mr. McCa

in and intended to be proposed to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1470. Mr. CARDIN submitted an amend-
mint intended to be proposed to amendment SA 1463 submitted by Mr. McCa

in and intended to be proposed to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1471. Mr. BARRASSO submitted an amend-
mint intended to be proposed to amendment SA 1463 submitted by Mr. McCa

in and intended to be proposed to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1472. Mr. VITTER submitted an amend-
mint intended to be proposed to amendment SA 1463 submitted by Mr. McCa

in and intended to be proposed to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of
Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 1473. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. McCAIN and intended to be proposed to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1474. Mr. COONS submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. McCAIN and intended to be proposed to the bill H.R. 1735, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1463. Mr. McCAIN submitted an amendment intended to be proposed by him to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE. This Act may be cited as the “National Defense Authorization Act for Fiscal Year 2016”.

SECTION 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF CONTENTS. OF AMENDMENTS.

(a) DIVISIONS.—This Act is organized into four divisions as follows:

(1) Division A—Department of Defense Authorizations.

(2) Division B—Military Construction Authorizations.

(3) Division C—Department of Energy National Security Authorizations.

(4) Division D—Funding tables.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Organization of Act into divisions; table of contents.

Sec. 1. SHORT TITLE. This Act may be cited as the “National Defense Authorization Act for Fiscal Year 2016”.

SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF CONTENTS. OF AMENDMENTS. (a) DIVISIONS.—This Act is organized into four divisions as follows:

(1) Division A—Department of Defense Authorizations.

(2) Division B—Military Construction Authorizations.

(3) Division C—Department of Energy National Security Authorizations.

(4) Division D—Funding tables.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Organization of Act into divisions; table of contents.

Sec. 3. Congressional defense committees.

Sec. 4. Budgetary effects of this Act.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

Subtitle A—Authorization of Appropriations

Sec. 101. Authorization of appropriations.

Subtitle B—Navy Programs

Sec. 111. Amendment to cost limitation baseline for CVN–78 class aircraft carrier program.

Sec. 112. Limitation on availability of funds for USS JOHN F. KENNEDY (CVN–79).

Sec. 113. Limitation on availability of funds for USS ENTERPRISE (CVN–80).

Sec. 114. Modification of CVN–78 class aircraft carrier program.

Sec. 115. Limitation on availability of funds for Littoral Combat Ship.

Sec. 116. Extension and modification of limitation on availability of funds for Littoral Combat Ship.

Sec. 117. Construction of additional Arleigh Burke destroyers.

Sec. 118. Fleet Replacement Oiler Program.

Sec. 119. Reporting requirement for Ohio-class replacement submarine program.

Subtitle C—Air Force Programs

Sec. 131. Limitations on retirement of B-1, B-2, and B-52 bomber aircraft.

Sec. 132. Limitation on retirement of Air Force fighter aircraft.

Sec. 133. Limitation on availability of funds for F-35 aircraft procurement.

Sec. 134. Prohibition on retirement of A-10 aircraft.

Sec. 135. Prohibition on availability of funds for retirement of EC-130H Compass Call aircraft.

Sec. 136. Limitation on transfer of C-130 aircraft.

Sec. 137. Limitation on use of funds for T-1A Jayhawk aircraft.

Sec. 138. Restriction on retirement of the Joint Surveillance Target Attack Radar System (JSTARS), EC-130H Compass Call, and Airborne Early Warning and Control (AWACS) aircraft.

Sec. 139. Sense of Congress regarding the OCONUS basing of the F-35A aircraft.

Sec. 140. Sense of Congress on F-16 Active Electronically Scanned Array (AESA) radar upgrade.

Subtitle D—Defense-wide, Joint, and Multiservice Matters

Sec. 151. Report on Army and Marine Corps modernization plan for small arms.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorization of Appropriations

Sec. 201. Authorization of appropriations.

Subtitle B—Program Requirements, Modifications, and Limitations

Sec. 211. Centers for Science, Technology, and Engineering Partnership.

Sec. 212. Department of Defense technology offices and programs to build and maintain the military technological superiority of the United States.

Sec. 213. Reauthorization of defense research and development rapid innovation program.

Sec. 214. Reauthorization of Global Research Watch program.

Sec. 215. Science and technology activities to support business systems information technology acquisition program.

Sec. 216. Expansion of eligibility for financial assistance under Department of Defense Science, Mathematics, and Research for Terrorism program to include citizens of countries participating in The Technical Cooperation Program.

Sec. 217. Streamlining the Joint Federated Assurance Center.

Sec. 218. Limitation on availability of funds for development of the Shallow Water Combat Submersible.

Sec. 219. Limitation on availability of funds for distributed common ground system of the United States Special Operations Command.

Sec. 220. Limitation on availability of funds for distributed common ground system of the United States Special Operations Command.

Subtitle C—Other Matters

Sec. 231. Assessment of air-land mobile tactical communications and data network requirements and capabilities.

Sec. 232. Study of field failures involving counterfeit electronic parts.

Sec. 233. Demonstration of Persistent Close Air Support capabilities.

Sec. 234. Airborne data link plan.

Sec. 235. Report on Technology Readiness Levels of the technologies and capabilities critical to the Long Range Strike Bomber aircraft.

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

Sec. 301. Authorization of appropriations.

Subtitle B—Energy and Environment

Sec. 311. Modification of energy efficiency and sustainable energy management reporting requirements.

Sec. 312. Report on efforts to reduce high energy costs at military installations.

Sec. 313. Southern Sea Otter Military Readiness Areas.

Subtitle C—Logistics and Sustainment

Sec. 321. Repeal of limitation on authority to enter into a contract for the sustainment, maintenance, repair, or overhaul of the F117 engine.

Subtitle D—Reports

Sec. 331. Modification of annual report on prepositioned materiel and equipment.

Subtitle E—Limitations and Extensions of Authority

Sec. 341. Modification of requirements for transferring aircraft within the Air Force inventory.

Sec. 342. Limitation on use of funds for Department of Defense sponsorships, advertising, or marketing associated with sports-related organizations or sporting events.

Sec. 343. Temporary authority to extend contracts and leases under ARMS initiative.

Subtitle F—Other Matters

Sec. 351. Streamlining of Department of Defense management and operational headquarters.

Sec. 352. Adoption of retired military working dogs.

Sec. 353. Modification of required review of projects relating to potential obstructions to aviation.

Sec. 354. Pilot program on intensive instruction in certain Asian languages.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

Sec. 401. End strengths for active forces.

Sec. 402. Enhancement of authority for management of end strengths for military personnel.

Subtitle B—Reserve Forces

Sec. 411. End strengths for Selected Reserve.

Sec. 412. End strengths for Reserves on active duty in support of the reserves.

Sec. 413. End strengths for military technicians (dual status).

Sec. 414. Fiscal year 2016 limitation on number of non-dual status technicians.

Sec. 415. Maximum number of reserve personnel authorized to be on active duty for operational support.

Sec. 416. Chief of the National Guard Bureau authority to limit to certain end strengths applicable to the Army National Guard.

Subtitle C—Authorization of Appropriations

Sec. 421. Military personnel.
Sec. 535. No entitlement to unemployment insurance while receiving Post-9/11 Education Assistance.

Sec. 536. Repeal of statutory specification of minimum duration of in-resident instruction for courses of instruction offered as part of Phase II joint professional military education.

Sec. 537. Quality assurance of certification programs and standards for professional credentials obtained by members of the Armed Forces.

Sec. 538. Support for athletic programs of the United States Military Academy.

Sec. 539. Online access to the higher education component of the Transition Assistance Program.

Subtitle E—Military Justice

Sec. 546. Modification of Rule 304 of the Military Rules of Evidence relating to the corroboration of a confession or admission.

Sec. 547. Modification of Rule 104 of the Rules for Courts-Martial to establish certain prohibitions concerning evaluations of Special Victims' Counsel.

Sec. 548. Right of victims of offenses under the Uniform Code of Military Justice to time and place of occurrence of certain materials and information in connection with prosecution of offenses.

Sec. 549. Enforcement of certain crime victims' rights by the Court of Criminal Appeals.

Sec. 550. Release to victims upon request of complete record of proceedings and testimony of courts-martial in cases in which sentences adjudged could include punitive discharge.

Sec. 551. Representation and assistance of victims by Special Victims' Counsel in questioning by military criminal investigators.

Sec. 552. Authority of Special Victims' Counsel to provide legal consultation and assistance in connection with various Government proceedings.

Sec. 553. Enhancement of confidentiality of restricted reporting of sexual assault in the military.

Sec. 554. Establishment of Office of Complex Investigations within the National Guard Bureau.

Sec. 555. Modification of deadline for establishment of Defense Advisory Committee on Investigation, Prosecution, and Defense of Sexual Assault in the Armed Forces.

Sec. 556. Comptroller General of the United States reports on prevention and response to sexual assault by the Army National Guard and the Army Reserve.

Sec. 557. Sense of Congress on the service of military families and on sentencing retirement-eligible members of the Armed Forces.

Sec. 558. Sense of Congress on financial literacy and preparedness of members of the Armed Forces.

Sec. 559. Priority processing of applications for Transportation Worker Identification Credentials for members undergoing discharge or release from the Armed Forces.

Sec. 560. Issuance of Recognition of Service ID Cards to certain members separating from the Armed Forces.

Sec. 561. Continuation of authority to assist former and current members of the Armed Forces and Department of Defense civilians.

Sec. 562. Extension of annual reports on sexual assault in the military.

Sec. 563. Authority to use appropriated funds to support Department of Defense student meal programs in domestic dependent elementary and secondary schools located outside the United States.

Sec. 564. Biennial surveys of military dependents on military family readiness matters.

Subtitle G—Miscellaneous Reporting Requirements

Sec. 571. Extension of semiannual reports on the inventory and distribution of members of the Armed Forces.

Sec. 572. Remotely piloted aircraft career field manpower developments.

PART II—Other Matters

Sec. 581. Improvement of financial literacy and preparedness of members of the Armed Forces.

Sec. 582. Financial literacy training with respect to certain financial services for members of the uniformed services.

Sec. 583. Sense of Congress on financial literacy and preparedness of members of the Armed Forces.

Sec. 584. Recordation of obligations for installment payments of incentive pays, allowances, and similar benefits when payment is due.

Sec. 585. Enhancements to Yellow Ribbon Reintegration Program.

Sec. 586. Authority for applications for correction of military records to be initiated by the Secretary concerned.

Sec. 587. Recordation of obligations for installment payments of incentive pays, allowances, and similar benefits when payment is due.

Sec. 588. Enhancements to Yellow Ribbon Reintegration Program.

Sec. 589. Priority processing of applications for Transportation Worker Identification Credentials for members undergoing discharge or release from the Armed Forces.

Sec. 590. Issuance of Recognition of Service ID Cards to certain members separating from the Armed Forces.

Sec. 591. Revised policy on network services for military services.

Sec. 592. Increase in number of days of active duty required to be performed by reserve component members for duty to be considered Federal service for purposes of unemployment compensation for ex-servicemembers.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—Pay and Allowances

Sec. 593. Fiscal year 2016 increase in military basic pay.

Sec. 594. Modification of percentage of national average monthly cost of housing usable in computation of basic allowance for housing inside the United States.

Sec. 595. Extension of authority to provide temporary increase in rates of basic allowance for housing.

Sec. 596. Basic allowance for housing for married members of the uniformed services assigned for duty within normal commuting distance from other members living together.

Sec. 597. Repeal of inapplicability of modification of basic allowance for housing to members under the laws administered by the Secretary of Veterans Affairs.
Sec. 701. Urgent care authorization under the TRICARE program.
Sec. 702. Modifications of cost-sharing requirements for the TRICARE Pharmacy Benefits Program.
Sec. 703. Expansion of continued health benefits coverage to include discharged and released members of the Selected Reserve.
Sec. 704. Expansion of reimbursement for smoking cessation services for certain TRICARE beneficiaries.
Sec. 705. Pilot program on treatment of members of the Armed Forces for post-traumatic stress disorder related to military sexual trauma.

Subtitle B—Health Care Administration
Sec. 711. Access to health care under the TRICARE program.
Sec. 712. Portability of health plans under the TRICARE program.
Sec. 713. Improvement of mental health care provided by health care providers of the Department of Defense.
Sec. 714. Comprehensive standards and access for TRICARE beneficiaries.
Sec. 715. Waiver of recoupment of erroneous payments due to administrative error under the TRICARE program.
Sec. 716. Designation of certain non-Department mental health care providers with knowledge relating to treatment of members of the Armed Forces.
Sec. 717. Limitation on conversion of military medical and dental positions to civilian medical and dental positions.
Sec. 718. Extension of authority for Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund.
Sec. 719. Extension of authority for DOD-VA Health Care Sharing Incentive Fund.
Sec. 720. Pilot program on incentive programs to improve health care provided under the TRICARE program.

Subtitle C—Travel and Transportation Allowances
Sec. 721. Access to health care under the TRICARE program.
Sec. 722. Modernized retirement system for members of the uniformed services.
Sec. 723. Lump sum payments of certain retired pay.
Sec. 724. Continuation pay after 12 years of service for members of the uniformed services participating in the modernized retirement systems.
Sec. 725. Authority for retirement flexibility for members of the uniformed services.
Sec. 726. Treatment of Department of Defense military retirement fund as a qualified trust.

Part I—Retired Pay Reform
Sec. 731. Report on preliminary mental health care providers with knowledge relating to treatment of members of the Armed Forces.
Sec. 732. Limitation on conversion of military medical and dental positions to civilian medical and dental positions.
Sec. 733. Annual report on patient safety, quality of care, and access to care at military medical treatment facilities.
Sec. 734. Report on plans to improve performance variability of health care provided by the Department of Defense.
Sec. 735. Report on plan to improve pediatric care and related services for children of members of the Armed Forces.
Sec. 736. Report on preliminary mental health care providers with knowledge relating to treatment of members of the Armed Forces.

Subtitle A—Commissary and Non-Approved Fund Instrumentality Benefits and Operations

Subtitle B—Bonuses and Special and Incentive Pays
Sec. 738. Authorities and bonus authorities for nuclear officers.
Sec. 739. Continuation pay after 12 years of service for members of the uniformed services.
Sec. 740. Lump sum payments of certain retirement benefits.
Sec. 741. Modernized retirement system for members of the uniformed services.
Sec. 742. Continuation pay after 12 years of service for members of the uniformed services participating in the modernized retirement systems.
Sec. 743. Authority for retirement flexibility for members of the uniformed services.
Sec. 744. Treatment of Department of Defense military retirement fund as a qualified trust.

Part I—Retired Pay Reform
Sec. 745. Report on preliminary mental health care providers with knowledge relating to treatment of members of the Armed Forces.
Sec. 746. Limitation on conversion of military medical and dental positions to civilian medical and dental positions.
Sec. 747. Annual report on patient safety, quality of care, and access to care at military medical treatment facilities.
Sec. 748. Report on plans to improve performance variability of health care provided by the Department of Defense.
Sec. 749. Report on plan to improve pediatric care and related services for children of members of the Armed Forces.
Sec. 750. Report on preliminary mental health care providers with knowledge relating to treatment of members of the Armed Forces.

Subtitle A—Acquisition Policy and Management
Sec. 751. Report on plans to improve performance variability of health care provided by the Department of Defense.
Sec. 752. Modernized retirement system for members of the uniformed services.
Sec. 753. Lump sum payments of certain retirement benefits.
Sec. 754. Continuation pay after 12 years of service for members of the uniformed services participating in the modernized retirement systems.
Sec. 755. Authority for retirement flexibility for members of the uniformed services.
Sec. 756. Treatment of Department of Defense military retirement fund as a qualified trust.

Part I—Retired Pay Reform
Sec. 758. Report on preliminary mental health care providers with knowledge relating to treatment of members of the Armed Forces.
Sec. 759. Limitation on conversion of military medical and dental positions to civilian medical and dental positions.
Sec. 760. Annual report on patient safety, quality of care, and access to care at military medical treatment facilities.
Sec. 761. Report on plans to improve performance variability of health care provided by the Department of Defense.
Sec. 762. Report on plan to improve pediatric care and related services for children of members of the Armed Forces.
Sec. 763. Report on preliminary mental health care providers with knowledge relating to treatment of members of the Armed Forces.

Subtitle B—Amendments to General Contracting Authorities, Procedures, and Limitations
Sec. 765. Report on preliminary mental health care providers with knowledge relating to treatment of members of the Armed Forces.
Sec. 766. Limitation on conversion of military medical and dental positions to civilian medical and dental positions.
Sec. 767. Annual report on patient safety, quality of care, and access to care at military medical treatment facilities.
Sec. 768. Report on plans to improve performance variability of health care provided by the Department of Defense.
Sec. 769. Report on plan to improve pediatric care and related services for children of members of the Armed Forces.
Sec. 770. Report on preliminary mental health care providers with knowledge relating to treatment of members of the Armed Forces.

Subtitle C—Provisions Relating to Major Defense Acquisition Programs
Sec. 771. Report on preliminary mental health care providers with knowledge relating to treatment of members of the Armed Forces.
Sec. 772. Limitation on conversion of military medical and dental positions to civilian medical and dental positions.
Sec. 773. Annual report on patient safety, quality of care, and access to care at military medical treatment facilities.
Sec. 774. Report on plans to improve performance variability of health care provided by the Department of Defense.
Sec. 775. Report on plan to improve pediatric care and related services for children of members of the Armed Forces.
Sec. 776. Report on preliminary mental health care providers with knowledge relating to treatment of members of the Armed Forces.

Part I—Retired Pay Reform
Sec. 778. Report on preliminary mental health care providers with knowledge relating to treatment of members of the Armed Forces.
Sec. 779. Limitation on conversion of military medical and dental positions to civilian medical and dental positions.
Sec. 780. Annual report on patient safety, quality of care, and access to care at military medical treatment facilities.
Sec. 781. Report on plans to improve performance variability of health care provided by the Department of Defense.
Sec. 782. Report on plan to improve pediatric care and related services for children of members of the Armed Forces.
Sec. 783. Report on preliminary mental health care providers with knowledge relating to treatment of members of the Armed Forces.

Subtitle D—Disability Pay, Retired Pay, and Survivor Benefits
Sec. 785. Report on preliminary mental health care providers with knowledge relating to treatment of members of the Armed Forces.
Sec. 786. Limitation on conversion of military medical and dental positions to civilian medical and dental positions.
Sec. 787. Annual report on patient safety, quality of care, and access to care at military medical treatment facilities.
Sec. 788. Report on plans to improve performance variability of health care provided by the Department of Defense.
Sec. 789. Report on plan to improve pediatric care and related services for children of members of the Armed Forces.
Sec. 790. Report on preliminary mental health care providers with knowledge relating to treatment of members of the Armed Forces.

Part I—Retired Pay Reform
Sec. 792. Report on preliminary mental health care providers with knowledge relating to treatment of members of the Armed Forces.
Sec. 793. Limitation on conversion of military medical and dental positions to civilian medical and dental positions.
Sec. 794. Annual report on patient safety, quality of care, and access to care at military medical treatment facilities.
Sec. 795. Report on plans to improve performance variability of health care provided by the Department of Defense.
Sec. 796. Report on plan to improve pediatric care and related services for children of members of the Armed Forces.
Sec. 797. Report on preliminary mental health care providers with knowledge relating to treatment of members of the Armed Forces.

Subtitle E—Commissary and Non-Approved Fund Instrumentality Benefits and Operations
Sec. 799. Report on preliminary mental health care providers with knowledge relating to treatment of members of the Armed Forces.
Sec. 800. Limitation on conversion of military medical and dental positions to civilian medical and dental positions.
Sec. 801. Annual report on patient safety, quality of care, and access to care at military medical treatment facilities.
Sec. 802. Report on plans to improve performance variability of health care provided by the Department of Defense.
Sec. 803. Report on plan to improve pediatric care and related services for children of members of the Armed Forces.
Sec. 804. Report on preliminary mental health care providers with knowledge relating to treatment of members of the Armed Forces.

Part I—Retired Pay Reform
Sec. 806. Report on preliminary mental health care providers with knowledge relating to treatment of members of the Armed Forces.
Sec. 807. Limitation on conversion of military medical and dental positions to civilian medical and dental positions.
Sec. 808. Annual report on patient safety, quality of care, and access to care at military medical treatment facilities.
Sec. 809. Report on plans to improve performance variability of health care provided by the Department of Defense.
Sec. 810. Report on plan to improve pediatric care and related services for children of members of the Armed Forces.
Sec. 811. Report on preliminary mental health care providers with knowledge relating to treatment of members of the Armed Forces.

Subtitle F—Military Health Care and Health Care Programs
Sec. 813. Report on preliminary mental health care providers with knowledge relating to treatment of members of the Armed Forces.
Sec. 814. Limitation on conversion of military medical and dental positions to civilian medical and dental positions.
Sec. 815. Annual report on patient safety, quality of care, and access to care at military medical treatment facilities.
Sec. 816. Report on plans to improve performance variability of health care provided by the Department of Defense.
Sec. 817. Report on plan to improve pediatric care and related services for children of members of the Armed Forces.
Sec. 818. Report on preliminary mental health care providers with knowledge relating to treatment of members of the Armed Forces.
Sec. 847. Tenure and accountability of program managers for program development periods.

Sec. 846. Tenure and accountability of program managers for program execution periods.

Sec. 845. Revision of Milestone B decision on or other detention or disciplinary facility in recruitment and other propaganda of terrorist organizations.

Sec. 844. Repeal of requirement for stand-alone manpower estimates for major defense acquisition programs.

Sec. 843. Penalty for cost overruns.

Sec. 842. Streamlining of reporting requirements applicable to Assistant Secretary of Defense for Research and Engineering regarding major defense acquisition programs.

Sec. 851. Configuration Steering Boards for cost control under major defense acquisition programs.

Subtitle D—Provisions Relating to Commercial Items

Sec. 861. Inapplicability of certain laws and regulations to the acquisition of commercial items and commercially available off-the-shelf items.

Sec. 862. Market research and preference for commercial items.

Sec. 863. Continuing validity of commercial items determinations.

Sec. 864. Treatment of commercial items purchased as major weapon systems.

Sec. 865. Limitation on conversion of procurements from commercial acquisition procedures.

Sec. 866. Treatment of goods and services provided by nontraditional contractors as commercial items.

Subtitle E—Other Matters

Sec. 871. Streamlining of requirements relating to defense business systems.

Sec. 872. Acquisition workforces.

Sec. 873. Unified information technology services.

Sec. 874. Cloud strategy for Department of Defense.

Sec. 875. Development period for Department of Defense information technology systems.

Sec. 876. Revision of pilot program on acquisition of military purpose non-developmental items.

Sec. 877. Extension of the Department of Defense Mentor-Protege pilot program.

Sec. 878. Improved auditing of contracts.

Sec. 879. Survey on the costs of regulatory compliance.

Sec. 880. Government Accountability Office report on bid protests.

Sec. 881. Steps to identify and address potential unfair competitive advantage of technical advisors to acquisition officials.

Sec. 882. HUBZone qualified disaster areas.

Sec. 883. Base closure HUBZone.

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

Sec. 901. Update of statutory specification of functions of Chairman of the Joint Chiefs of Staff relating to advice on requirements, programs, and budget.


Sec. 903. Repeal of requirement for annual Department of Defense funding for Ocean Research Advisory Panel.

TITLE X—GENERAL PROVISIONS

Subtitle A—Financial Matters

Sec. 1001. General transfer authority.

Sec. 1002. Annual audit of financial statements of Department of Defense components by independent external auditors.

Sec. 1003. Treatment as part of the base budget of certain amounts authorized for overseas contingency operations upon enactment of an Act revising the Budget Control Act discretionary spending limits for fiscal year 2016.

Sec. 1004. Sense of Senate on sequestration.

Subtitle B—Counter-Drug Activities

Sec. 1011. Extension of authority to support unified counterdrug and counterterrorism campaign in Colombia.

Sec. 1012. Extension and expansion of authority to provide additional support for counter-drug activities of certain foreign governments.

Subtitle C—Naval Vessels and Shipyards

Sec. 1021. Studies of fleet platform architectures for the Navy.

Sec. 1022. Amendment to National Sea-Based Deterrence Fund.

Sec. 1023. Extension of authority for reimbursement of expenses for certain Navy mess operations afloat.

Subtitle D—Counterterrorism

Sec. 1031. Prohibition on use of funds to construct or modify facilities in the United States to house detainees transferred from United States Naval Station, Guantanamo Bay, Cuba.

Sec. 1032. Limitation on the transfer or release of individuals detained at United States Naval Station, Guantanamo Bay, Cuba.

Sec. 1033. Limitation on construction and modification of certain prior requirements for certifications relating to transfer of detainees at United States Naval Station, Guantanamo Bay, Cuba, to foreign countries and other foreign entities.

Sec. 1034. Authority to temporarily transfer individuals detained at United States Naval Station, Guantanamo Bay, Cuba, to the United States for emergency or critical medical treatment.

Sec. 1035. Prohibition on use of funds for transfer or release to Yemen of individuals detained at United States Naval Station, Guantanamo Bay, Cuba.

Sec. 1036. Report on current detainees at United States Naval Station, Guantanamo Bay, Cuba, determined or assessed to be high risk or medium risk.

Sec. 1037. Report to Congress on memoranda of understanding with foreign countries regarding transfer of detainees at United States Naval Station, Guantanamo Bay, Cuba.

Sec. 1038. Semiannual reports on use of United States Naval Station, Guantanamo Bay, Cuba, and any other Department of Defense or Bureau of Prisons prison or other detention or disciplinary facility in recruitment and other propaganda of terrorist organizations.

Sec. 1039. Extension and modification of authority to make rewards for combating terrorism.

Subtitle E—Miscellaneous Authorities and Limitations

Sec. 1041. Assistance to secure the southern land border of the United States.

Sec. 1042. Protection of Department of Defense installations.

Sec. 1043. Strategy to protect United States national security interests in the Arctic region.

Sec. 1044. Extension of limitations on the transfer to the regular Army of AH-64 Apache helicopters assigned to the Army National Guard.

Sec. 1045. Treatment of certain previously transferred Army National Guard helicopters as counting against number transferable under exception to limitation on transfer of Army National Guard helicopters.

Sec. 1046. Management of military technicians.

Sec. 1047. Sense of Congress on consideration of the full range of Department of Defense manpower worldwide in decisions on the proper mix of military, civilian, and contractor personnel to accomplish the National Defense Strategy.

Sec. 1048. Sense of Senate on the United States Marine Corps.

Subtitle F—Studies and Reports

Sec. 1061. Repeal of reporting requirements.

Sec. 1062. Termination of requirement for submittal to Congress of reports required of the Department of Defense by statute.

Sec. 1063. Annual submittal to Congress of munitions reports.

Sec. 1064. Potential role for United States ground forces in the Pacific theater.

Sec. 1065. Technical and clerical amendments.

Sec. 1066. Authority to provide training and support to personnel of foreign ministries of defense.

Sec. 1067. Expansion of outreach for veterans transitioning from serving on active duty.

Sec. 1068. Modification of certain requirements applicable to major medical facility leases for a Department of Veterans Affairs outpatient clinic in Tulsa, Oklahoma.

TITLE XI—CIVILIAN PERSONNEL MATTERS

Sec. 1101. Required probationary period for new employees of the Department of Defense.

Sec. 1102. Delay of periodic step increase for civilian employees of the Department of Defense based upon unacceptable performance.

Sec. 1103. Procedures for reduction in force of Department of Defense civilian personnel.

Sec. 1104. United States Cyber Command workforce.
Sec. 1105. One-year extension of authority to waive annual limitation on premium pay and aggregate limitation on pay for Federal civilian employees working overseas.

Sec. 1106. Five-year extension of expedited hiring authority for designated defense acquisition workforce positions.

Sec. 1107. One-year extension of discretionary authority to grant allowances and benefits, and gratuities to civilian personnel on official duty in a combat zone.

Sec. 1108. Extension of rate of overtime pay for Department of the Navy employees working aboard or dockside in support of the nuclear-powered aircraft carrier forward deployed in Japan.

Sec. 1109. Expansion of temporary authority to make direct appointments of candidates possessing bachelor’s degrees to scientific and engineering positions at science and technology reinvention laboratories.

Sec. 1110. Extension of authority for the civilian acquisition workforce personnel demonstration project.

Sec. 1111. Pilot program on dynamic shaping of the workforce to improve the technical skills and expertise at certain Department of Defense laboratories.

Sec. 1112. Pilot program on temporary exchange of financial management and acquisition personnel.

Sec. 1113. Pilot program on enhanced pay authority for certain acquisition and technology positions in the Department of Defense.

Sec. 1114. Pilot program on direct hire authority for veteran technical experts into the defense acquisition workforce.

Sec. 1115. Direct hire authority for technical experts into the defense acquisition workforce.

TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

Subtitle A—Training and Assistance

Sec. 1201. One-year extension of funding limitations for authority to build the capacity of foreign security forces.

Sec. 1202. Extension and expansion of authority for reimbursement to the Government of Jordan for border security operations.

Sec. 1203. Extension of authority to conduct activities to enhance the capability of foreign countries to respond to incidents involving weapons of mass destruction.

Sec. 1204. Redesignation, modification, and extension of National Guard State Partnership Program.

Sec. 1205. Authority to provide support to national military forces of allied countries for counterterrorism operations in Africa.

Sec. 1206. Authority to build the capacity of foreign military intelligence forces.

Sec. 1207. Prohibition on assistance to entities in Yemen controlled by the Houthi movement.

Sec. 1208. Report on potential support for the vetted Syrian opposition.

Subtitle B—Matters Relating to Afghanistan, Pakistan, and Iraq

Sec. 1211. Drawdown of United States forces in Afghanistan.

Sec. 1222. Extension and modification of Commanders’ Emergency Response Program.

Sec. 1223. Extension of authority to transfer defense articles and services and provide defense services to the military and security forces of Afghanistan.

Sec. 1224. Extension and modification of authority for reimbursement of certain coalition nations for support provided to United States military operations.

Sec. 1225. Prohibition on transfer to violent extremist organizations of equipment or supplies provided by the United States to the Government of Iraq.

Sec. 1226. Report on lines of communication of Islamic State of Iraq and the Levant and other foreign terrorist organizations.

Sec. 1227. Modification of protection for Afghan allies.

Sec. 1228. Extension of authority to support operations and activities of the Office of Security Cooperation in Iraq.

Sec. 1229. Sense of Senate on support for the Kurdistan Regional Government.

Subtitle C—Matters Relating to Iran

Sec. 1241. Modification and extension of annual report on the military power of Iran.

Sec. 1251. Ukraine Security Assistance Initiative.

Sec. 1252. Eastern European Training Initiative.

Sec. 1253. Increased presence of United States ground forces in Eastern Europe to deter aggression on the border of the North Atlantic Treaty Organization.


Sec. 1255. Additions in annual report on military and security developments involving the Russian Federation.

Sec. 1256. Report on alternative capabilities to procure and sustain non-standard rotary wing aircraft historically procured through Rosoboronexport.

Subtitle D—Matters Relating to the Russian Federation

Sec. 1261. South China Sea Initiative.

Sec. 1262. Sense of Congress reaffirming the importance of implementing the rebalance to the Asia-Pacific region.

Sec. 1263. Sense of Senate on Taiwan asymmetric military capabilities and bilateral training activities.

Subtitle F—Reports and Related Matters

Sec. 1271. Item in quarterly reports on assistance to counter the Islamic State of Iraq and the Levant on forces ineligible to receive assistance due to a gross violation of human rights.

Sec. 1272. Report on bilateral agreement with Israel on joint activities to establish an anti-tunneling defense system.

Sec. 1273. Sense of Senate and report on Qatar fighter aircraft capability contribution to regional security.

Subtitle G—Other Matters

Sec. 1281. NATO Special Operations Headquarters.
Sec. 1606. Inclusion of plan for development and fielding of a full-up engine in rocket propulsion system development program.

Sec. 1607. Limitation on availability of funds for the Defense Meteorological Satellite program.

Sec. 1608. Quarterly reports on Global Positioning System III space segment, Global Positioning System operational control segment, and Military Global Positioning System user equipment acquisition programs.

Sec. 1609. Plan for consolidation of acquisition of commercial satellite communications services.

Sec. 1610. Council on Oversight of the Department of Defense.

Sec. 1611. Analysis of alternatives for wide-band communications.

Sec. 1612. Expansion of goals for pilot program for acquisition of commercial satellite communication services.

Sec. 1613. Streamlining, commercial space launch activities.

Subtitle B—Cyber Warfare, Cyber Security, and Related Matters

Sec. 1621. Authorization of military cyber operations.

Sec. 1622. Designation of Department of Defense entity responsible for acquisition of critical cyber capabilities.

Sec. 1623. Incentives for submission to Congress by President of integrated policy to deter adversaries in cyberspace.

Sec. 1624. Authorization for procurement of relocatable Sensitive Compartmented Information Facility.

Sec. 1625. Evaluation of cyber vulnerabilities of major weapon systems of the Department of Defense.

Sec. 1626. Assessment of capabilities of United States Cyber Command to defend the United States from cyber attacks.

Sec. 1627. Biennial exercises on responding to cyber attacks against critical infrastructure.

Subtitle C—Nuclear Forces

Sec. 1631. Designation of Air Force officials to be responsible for policy on and procurement of nuclear command, control, and communications systems.


Sec. 1633. Assessment of global nuclear environment.

Sec. 1634. Deadline for Milestone A decision on long-range standoff weapon.

Sec. 1635. Availability of Air Force procurement funds for certain commercial off-the-shelf parts for intercontinental ballistic missile fuzes.

Sec. 1636. Sense of Congress on policy on the nuclear triad.

Subtitle D—Missile Defense Programs

Sec. 1641. Plan for fielding of two new state-of-the-art high altitude defense interceptors.

Sec. 1642. Additional missile defense sensor coverage for the protection of the United States homeland.

Sec. 1643. Air defense capability at North Atlantic Treaty Organization missile defense sites.

Sec. 1644. Availability of funds for Iron Dome short-range rocket defense system.

Sec. 1645. Israeli cooperative missile defense program for development and potential coproduction.

Sec. 1646. Development and deployment of multiple-object kill vehicle for missile defense of the United States homeland.

Sec. 1647. Requirement to replace capability enhancement I exoatmospheric kill vehicle.

Sec. 1648. Airborne boost phase defense system.

Sec. 1649. Extension of limitation on providing certain sensitive missile defense information to the Russian Federation.

Sec. 1650. Extension of requirement for Comptroller General of the United States review and assessment of missile defense acquisition programs.

Subtitle E—Other Matters


Sec. 1662. Modification of notification and assessment of proposal to modify or introduce new aircraft or sensors for flight by the Russian Federation under the Open Skies Treaty.

Sec. 1663. Milestone A decision for the Conventional Prompt Global Strike Weapons System.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS


Sec. 2002. Expiration of authorizations and amounts required to be specified by law.

TITLE XXI—ARMY MILITARY CONSTRUCTION

Sec. 2101. Authorized army construction and land acquisition projects.

Sec. 2102. Family housing.

Sec. 2103. Improvements to military family housing units.

Sec. 2104. Authorization of appropriations, Army.

 Sec. 2105. Modification of authority to carry out certain fiscal year 2012 projects.

Sec. 2106. Extension of authorizations of certain fiscal year 2013 projects.

Sec. 2107. Extension of authorizations of certain fiscal year 2014 projects.

Sec. 2108. Additional authority to carry out certain fiscal year 2015 projects.

Sec. 2109. Limitation on construction of new facilities at Guantanamo Bay, Cuba.

TITLE XXII—NAVY MILITARY CONSTRUCTION

Sec. 2201. Authorized navy construction and land acquisition projects.

Sec. 2202. Family housing.

Sec. 2203. Improvements to military family housing units.

Sec. 2204. Authorization of appropriations, Navy.

Sec. 2205. Modification of authority to carry out certain fiscal year 2013 project.

Sec. 2206. Extension of authorizations of certain fiscal year 2012 projects.

Sec. 2207. Extension of authorizations of certain fiscal year 2013 projects.

Sec. 2208. Extension of authorizations of certain fiscal year 2014 projects.

Sec. 2209. Extension of authorizations of certain fiscal year 2015 projects.

TITLE XXIII—AIR FORCE MILITARY CONSTRUCTION

Sec. 2301. Authorized Air Force construction and land acquisition projects.

Sec. 2302. Family housing.

Sec. 2303. Improvements to military family housing units.


Sec. 2305. Modification of authority to carry out certain fiscal year 2010 projects.

Sec. 2306. Modification of authority to carry out certain fiscal year 2014 project.

Sec. 2307. Extension of authorization of certain fiscal year 2015 project.

Sec. 2308. Extension of authorization of certain fiscal year 2012 project.

Sec. 2309. Extension of authorization of certain fiscal year 2013 project.

TITLE XXIV—DEFENSE AGENCIES MILITARY CONSTRUCTION

Sec. 2401. Authorized Defense Agencies construction and land acquisition projects.

Sec. 2402. Authorized energy conservation projects.


Sec. 2404. Modification of authority to carry out certain fiscal year 2012 project.

Sec. 2405. Extension of authorizations of certain fiscal year 2012 projects.

Sec. 2406. Extension of authorizations of certain fiscal year 2013 projects.

Sec. 2407. Modification and extension of authority to carry out certain fiscal year 2014 project.

TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

Sec. 2501. Authorized NATO construction and land acquisition projects.

Sec. 2502. Authorization of appropriations, NATO.

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

Subtitle A—Project Authorizations and Authorization of Appropriations

Sec. 2601. Authorized Army National Guard construction and land acquisition projects.

Sec. 2602. Authorized Army Reserve construction and land acquisition projects.

Sec. 2603. Authorized Navy Reserve and Marine Corps Reserve construction and land acquisition projects.

Sec. 2604. Authorized Air National Guard construction and land acquisition projects.

Sec. 2605. Authorized Air Force Reserve construction and land acquisition projects.

Sec. 2606. Authorization of appropriations, National Guard and Reserve.

Subtitle B—Others Matters

Sec. 2610. Modification and extension of authority to carry out certain fiscal year 2013 project.

Sec. 2611. Modification of authority to carry out certain fiscal year 2013 project.

Sec. 2612. Extension of authorizations of certain fiscal year 2015 projects.

Sec. 2613. Extension of authorizations of certain fiscal year 2012 projects.

Sec. 2614. Extension of authorizations of certain fiscal year 2013 projects.

TITLE XXVII—BASE REALIGNMENT AND CLOSURE ACTIVITIES

Sec. 2701. Authorization of appropriations for base realignment and closure activities funded through Department of Defense base closure account.

Sec. 2702. Prohibition on conducting additional base realignment and closure (BRAC) round.
(B) A description of alternative aircraft carrier designs that meet the requirements described under subparagraph (A).
(C) A description of nuclear and non-nuclear propulsion options.
(D) A description of tonnage options ranging from less than 20,000 tons to greater than 100,000 tons.
(E) Requirements for unmanned systems integration from inception.
(F) Developmental, procurement, and lifecycle cost assessment of alternatives.
(G) A certification strategy for development and construction of alternatives.
(H) A description of shipbuilding industrial base considerations and a plan to ensure opportunity for competition among alternatives.
(I) A description of funding and timing considerations related to developing the annual Long-Range Plan for Construction of Naval Vessels required under section 231 of title 10, United States Code.

SEC. 113. LIMITATION ON AVAILABILITY OF FUNDS FOR USS ENTERPRISE (CVN–80).

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for advance procurement for the USS ENTERPRISE (CVN–80) that may not be obligated or expended until the Secretary of the Navy submits to the Committees on Armed Services of the Senate and the House of Representatives the certification required under subsection (b) and the report required under subsection (c).

(b) CERTIFICATION REGARDING CVN–80 DESIGN.—The Secretary of the Navy shall submit to the Committees on Armed Services of the Senate and the House of Representatives a certification that the design of CVN–80 will repeat that of CVN–79, with modifications only for significant test and evaluation results or significant cost reduction initiatives that meet a milestone threshold requirements.

(c) REPORT.—

(I) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Navy shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report that details the plans costs related to the USS ENTERPRISE (CVN–80).

(2) ELEMENTS.—The report required under paragraph (1) shall include the following:

(A) Overall plans.

(B) Propulsion plant detail design.

(C) Platform detail design.

(D) Lead yard services and hull planning yard.

(E) Platform detail design (Steam and Electric Plant Planning Yard).

(F) OTHER.

SEC. 114. MODIFICATION OF CVN–78 CLASS AIRCRAFT CARRIER PROGRAM.

Subsection (f) of section 122 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2104), as added by section 121(c) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 692), is amended by adding at the end the following new paragraph:

“(f) The report required under paragraph (1), the Secretary of the Navy shall include a description of new design and engineering changes to CVN–78 class aircraft carriers if applicable.

“(B) The additional reporting requirement in subparagraph (A) shall include, with respect to CVN–78 class aircraft carriers in each aircraft carrier design:

“(i) any design or engineering change with an associated cost greater than $5,000,000;

“(ii) program or ship cost increases for each design or engineering change identified in subparagraph (A); and

“(iii) cost reduction achieved.

“(C) The Secretary of the Navy and Chief of Naval Operations shall each personally sign (not autopen) the additional reporting requirement in subparagraph (A).”

SEC. 115. LIMITATION ON AVAILABILITY OF FUNDS FOR LITTORAL COMBAT SHIP.

Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for research and development, design, construction, procurement or advanced technology development for the Littoral Combat Ships designated as LCS 33 or subsequent, not more than 25 percent may be obligated or expended until the Secretary of the Navy submits to the Committees on Armed Services of the Senate and the House of Representatives each of the following:

(1) A Capabilities Based Assessment to assess capability gaps and associated capability requirements and risks for the upgraded Littoral Combat Ship, which is proposed to commence with LCS 33. This assessment shall conform with the Joint Capabilities Integration and Development System, including Chairman of the Joint Chiefs of Staff Instruction 3170.1H.

(2) A certification that the Joint Requirements Oversight Council has validated an updated Capabilities Development Document for the upgraded Littoral Combat Ship.

(3) A report describing the upgraded Littoral Combat Ship modernization, which shall, at a minimum, include the following elements:

(A) A description of capabilities that the LCS program delivers, and a description of how these relate to the characteristics of the future joint force identified in the Capstone Concept for Joint Combat Operations, and integrated architecture documents.

(B) A summary of analyses and studies conducted on modernization.

(C) A concept of operations for LCS modernization ships at the operational level and tactical level describing how they integrate and synchronize joint and combined forces to achieve the Joint Force Commander’s intent.

(D) A description of threat systems of potential adversary threats that are projected or assessed to reach initial operational capability within 15 years against which the lethality and survivability of the LCS should be determined.

(E) A plan and timeline for LCS modernization program execution.

(F) A description of system capabilities required for LCS modernization, including key performance parameters and key system attributes.

(G) A plan for family of systems or systems of systems synchronization.

(H) A plan for information technology and national security systems supportability.

(I) A plan for intelligence supportability.

(J) A plan to accommodate environmental effects (E3) and spectrum supportability.

(K) A description of assets required to achieve initial operational capability (IOC) of an LCS modernization increment.

(L) A schedule and initial operational capability and full operational capability definitions.

(M) A description of doctrine, organization, training, materiel, leadership, education, facilities, and policy considerations.

(N) A description of other system attributes.

(1) A plan for future periodic combat system upgrades, which are necessary to ensure relevant capability throughout the Littoral Combat Ship or Frigate class service lives, using the process described in paragraph (5).

SEC. 116. EXTENSION AND MODIFICATION OF LIMITATION ON AVAILABILITY OF FUNDS FOR LITTORAL COMBAT SHIP.


(1) by striking “this Act, the Carl Levin and Howard P. ‘Buck’ McKeon National Defense Authorization Act for Fiscal Year 2015, or otherwise made available for fiscal years 2014 or 2015” and inserting “this Act, the National Defense Authorization Act for Fiscal Year 2016, or otherwise made available for fiscal years 2014, 2015, or 2016”;

(2) by adding at the end the following new paragraphs:

“(a) A Littoral Combat Ship seaframe acquisition strategy for the Littoral Combat Ships designated as LCS 25 through LCS 32, including upgrades to be installed on these ships that were identified as upgraded Littoral Combat Ship, which is proposed to commence with LCS 33.

“(b) A Littoral Combat Ship mission module acquisition strategy to reach the total acquisition quantity of each mission module.

“(c) A cost and schedule plan to outfit Flight 0 and Flight 0+ Littoral Combat Ships with capabilities identified for the upgraded Littoral Combat Ship.

“(d) A current Test and Evaluation Master Plan for the Littoral Combat Ship Mission Modules, approved by the Director of Operational Test and Evaluation, which includes the performance levels expected to be demonstrated during the testing for each component and mission module prior to beginning the associated operational test phase.”

SEC. 117. CONSTRUCTION OF ADDITIONAL ARLEIGH BURKE DESTROYER.

(a) IN GENERAL.—The Secretary of the Navy may enter into a contract beginning with the fiscal year 2017 for the procurement of one Arleigh Burke class destroyer in addition to the ten DDG–51s in the fiscal year 2013 through 2017 multiyear procurement contract for 10 Arleigh Burke class destroyers in fiscal year 2018. The Secretary may employ incremental funding for such procurement.

(b) CONDITION ON OUT–YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under such contract for any fiscal year after fiscal year 2016 is subject to the availability of appropriations for that purpose for such fiscal year.

SEC. 118. FLEET REPLENISHMENT OILER PROGRAM.

(a) CONTRACT AUTHORITY.—The Secretary of the Navy may enter into one or more contracts to procure up to three replenishment Oilers. Such procurements may also include advance procurement for Economic
Order Quantity (EOQ) and long lead time materials, beginning with the lead ship, commencing not earlier than fiscal year 2016.

(b) LIABILITY.—Any contract entered into under paragraph (a) shall provide that any obligation of the United States to make a payment under the contract is subject to the availability of appropriations for that purpose, and that total liability to the government for termination of any contract entered into shall be limited to the total amount of funding obligated at the time of termination.

SEC. 119. REPORTING REQUIREMENT FOR OHIO-CLASS REPLACEMENT SUBMARINE PROGRAM.

The Secretary of Defense shall include in the budget justification materials for the Ohio-class replacement submarine program submitted to Congress in support of the Department of Defense budget for that fiscal year (as submitted with the budget of the President under section 1102(a) of title 31, United States Code, and the defense budget of the United States for the fiscal year, as submitted to the congressional defense committees that—

(1) Lead ship end cost (with plans).
(2) Lead ship end cost (less plans).
(3) Lead ship non-recurring engineering cost.
(4) Average follow-on ship cost.
(5) Average operations and sustainment cost per hull per year.

(6) Office of the Under Secretary of Defense for Acquisition, Technology, and Logistics average follow-on ship affordability target.

(7) Office of the Under Secretary of Defense for Acquisition, Technology, and Logistics average follow-on ship affordability target.

SEC. 131. LIMITATIONS ON RETIREMENT OF B-1, B-2, AND B-52 BOMBER AIRCRAFT.

(a) IN GENERAL.—Except as provided in subsection (b), no B-1, B-2, or B-52 bomber aircraft may be retired during a fiscal year prior to initial operational capability (IOC) of the LRS-B unless the Secretary of Defense certifies, in the materials submitted in support of the budget of the President for that fiscal year (as submitted to Congress under section 1102(a) of title 31, United States Code), that—

(1) the retirement of the aircraft is required to reallocate funding and manpower resources from the LRS-B to reach IOC and full operational capability (FOC); and

(2) the Secretary has concluded that retirement of B-1, B-2, and B-52 bomber aircraft in the near term (as provided in subsection (b)) of the aircraft designated as primary mission aircraft inventory below 1,116 fighter aircraft will not result in a reduction in the operational effectiveness of the retiring aircraft.

(b) EXCEPTION.—A certification described in subsection (a) is not required with respect to the retirement of F-1 bomber aircraft carried out in accordance with section 132(c)(2) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81, 125 Stat. 1320).

SEC. 132. LIMITATION ON RETIREMENT OF AIR FORCE FIGHTER AIRCRAFT.

(a) INVENTORY REQUIREMENT.—Section 8002 of title 10, United States Code, is amended by adding at the end of the following new subsection:

"(1) INVENTORY REQUIREMENT.—(1) Effective October 1, 2015, the Secretary of the Air Force shall maintain a total aircraft inventory of fighter aircraft of not less than 1,950 aircraft, and a total primary mission aircraft inventory of not less than 1,116 fighter aircraft.

"(2) In this subsection:"

"(A) The term ‘fighter aircraft’ means an aircraft designated as primary mission aircraft.

"(ii) is manned by one or two crewmembers; and

"(iii) executes single-role or multi-role missions, including air-to-air combat, air-to-ground strike, ground support, ground surveillance, ground control, suppression, or destruction of enemy air defenses, close air support, strike control and reconnaissance, combat search and rescue support, or airborne forces.

"(B) The term ‘primary mission aircraft inventory’ means aircraft assigned to meet the primary aircraft authorization to the unit for the performance of its wartime mission.”.

(2) LIMITATION ON RETIREMENT OF AIR FORCE FIGHTER AIRCRAFT.—(1) LIMITATION.—The Secretary of the Air Force may not proceed with a decision to retire fighter aircraft in any number that would reduce the total number of such aircraft in the Air Force total active inventory (TAI) below 1,950, and shall maintain a minimum of 1,116 fighter aircraft designated as primary mission aircraft inventory (PMAI).

(2) ADDITIONAL LIMITATIONS ON RETIREMENT OF FIGHTER AIRCRAFT.—The Secretary of the Air Force may not retire fighter aircraft from the total active inventory as of the date of the enactment of this Act until the later of the following:

(1) The date that is 30 days after the date on which the Secretary submits to the Congress the report required under paragraph (3).

(2) The date that is 30 days after the date on which the Secretary certifies to the congressional defense committees that—

(i) the retirement of fighter aircraft will not increase the operational risk or the cost per hull per year.

(ii) the Secretary has concluded that retirements of fighter aircraft will not result in a reduction in the operational effectiveness of the retiring aircraft.

(iii) the assigned unit and military installation where such aircraft is based.

(iii) the assigned unit and military installation where such aircraft is based.

(i) the mission design series type;

(ii) the variant; and

(iii) the assigned unit and military installation where such aircraft is designated as primary mission aircraft inventory (PMAI).

"(B) The term ‘primary mission aircraft inventory’ means aircraft assigned to meet the primary aircraft authorization to the unit for the performance of its wartime mission.”.

(b) LIMITATION ON RETIREMENT OF AIR FORCE FIGHTER AIRCRAFT.—(1) LIMITATION.—The Secretary of the Air Force may not proceed with a decision to retire fighter aircraft in any number that would reduce the total number of such aircraft in the Air Force total active inventory (TAI) below 1,950, and shall maintain a minimum of 1,116 fighter aircraft designated as primary mission aircraft inventory (PMAI).

(2) ADDITIONAL LIMITATIONS ON RETIREMENT OF FIGHTER AIRCRAFT.—The Secretary of the Air Force may not retire fighter aircraft from the total active inventory as of the date of the enactment of this Act until the later of the following:

(1) The date that is 30 days after the date on which the Secretary submits to the congressional defense committees that—

(i) the retirement of fighter aircraft will not increase the operational risk or the cost per hull per year.

(ii) the Secretary has concluded that retirements of fighter aircraft will not result in a reduction in the operational effectiveness of the retiring aircraft.

(iii) the assigned unit and military installation where such aircraft is based.

(i) the mission design series type;

(ii) the variant; and

(iii) the assigned unit and military installation where such aircraft is based.

(i) the mission design series type;

(ii) the variant; and

(iii) the assigned unit and military installation where such aircraft is based.

(i) the mission design series type;

(ii) the variant; and

(iii) the assigned unit and military installation where such aircraft is based.

(i) the mission design series type;

(ii) the variant; and

(iii) the assigned unit and military installation where such aircraft is based.

"(B) The term ‘primary mission aircraft inventory’ means aircraft assigned to meet the primary aircraft authorization to the unit for the performance of its wartime mission.”.

(b) LIMITATION ON RETIREMENT OF AIR FORCE FIGHTER AIRCRAFT.—(1) LIMITATION.—The Secretary of the Air Force may not proceed with a decision to retire fighter aircraft in any number that would reduce the total number of such aircraft in the Air Force total active inventory (TAI) below 1,950, and shall maintain a minimum of 1,116 fighter aircraft designated as primary mission aircraft inventory (PMAI).

(2) ADDITIONAL LIMITATIONS ON RETIREMENT OF FIGHTER AIRCRAFT.—The Secretary of the Air Force may not retire fighter aircraft from the total active inventory as of the date of the enactment of this Act until the later of the following:

(1) The date that is 30 days after the date on which the Secretary submits to the congressional defense committees that—

(i) the retirement of fighter aircraft will not increase the operational risk or the cost per hull per year.

(ii) the Secretary has concluded that retirements of fighter aircraft will not result in a reduction in the operational effectiveness of the retiring aircraft.

(iii) the assigned unit and military installation where such aircraft is based.

(i) the mission design series type;

(ii) the variant; and

(iii) the assigned unit and military installation where such aircraft is based.

(i) the mission design series type;

(ii) the variant; and

(iii) the assigned unit and military installation where such aircraft is based.

(i) the mission design series type;

(ii) the variant; and

(iii) the assigned unit and military installation where such aircraft is based.

(i) the mission design series type;

(ii) the variant; and

(iii) the assigned unit and military installation where such aircraft is based.

(i) the mission design series type;

(ii) the variant; and

(iii) the assigned unit and military installation where such aircraft is based.

(i) the mission design series type;

(ii) the variant; and

(iii) the assigned unit and military installation where such aircraft is based.

(i) the mission design series type;

(ii) the variant; and

(iii) the assigned unit and military installation where such aircraft is based.

(i) the mission design series type;

(ii) the variant; and

(iii) the assigned unit and military installation where such aircraft is based.

(i) the mission design series type;

(ii) the variant; and

(iii) the assigned unit and military installation where such aircraft is based.

(i) the mission design series type;

(ii) the variant; and

(iii) the assigned unit and military installation where such aircraft is based.

(i) the mission design series type;

(ii) the variant; and

(iii) the assigned unit and military installation where such aircraft is based.

(i) the mission design series type;

(ii) the variant; and

(iii) the assigned unit and military installation where such aircraft is based.

(i) the mission design series type;

(ii) the variant; and

(iii) the assigned unit and military installation where such aircraft is based.

(i) the mission design series type;

(ii) the variant; and

(iii) the assigned unit and military installation where such aircraft is based.

(i) the mission design series type;

(ii) the variant; and

(iii) the assigned unit and military installation where such aircraft is based.

(i) the mission design series type;

(ii) the variant; and

(iii) the assigned unit and military installation where such aircraft is based.

(i) the mission design series type;

(ii) the variant; and

(iii) the assigned unit and military installation where such aircraft is based.

(i) the mission design series type;

(ii) the variant; and

(iii) the assigned unit and military installation where such aircraft is based.

(i) the mission design series type;

(ii) the variant; and

(iii) the assigned unit and military installation where such aircraft is based.

(i) the mission design series type;

(ii) the variant; and

(iii) the assigned unit and military installation where such aircraft is based.

(i) the mission design series type;

(ii) the variant; and

(iii) the assigned unit and military installation where such aircraft is based.

(i) the mission design series type;

(ii) the variant; and

(iii) the assigned unit and military installation where such aircraft is based.

(i) the mission design series type;

(ii) the variant; and

(iii) the assigned unit and military installation where such aircraft is based.

(i) the mission design series type;

(ii) the variant; and

(iii) the assigned unit and military installation where such aircraft is based.
(1) Future needs analysis for the current A-10 aircraft mission set to include troops-in-contact/close air support, air interdiction, strike control and reconnaissance, and combat search and rescue support in both contested and un-contested battle environments. At a minimum, the needs analysis should specifically address the following areas:

(a) The ability to safely and effectively conduct troops-in-contact/danger close missions or in close proximity to civilians in the presence of the air defenses found with enemy ground maneuver units.

(b) The ability to effectively target and destroy moving, camouflaged, or dug-in troopst stating, armor, and armored personnel carriers.

(c) The ability to remain within visual range of friendly forces and targets to facilitate positive ID to ground forces and minimize re-attack times.

(d) The ability to safely conduct close air support beneath low cloud ceilings and in reduced visibilities at low airspeeds in the presence of the air defenses found with enemy ground maneuver units.

(e) The capability to enable the pilot and aircraft to survive attacks stemming from small arms, machine guns, MANPADs, and lower caliber anti-aircraft artillery organic or attached to enemy ground forces and maneuver units.

(f) The ability to communicate effectively with ground forces and downed pilots, including in communications jamming or satellite-denied environments.

(g) The ability to deliver multiple lethal firing passes and sustain long loiter endurances including in communications jamming or satellite-denied environments.

(h) The ability to operate effectively with ground forces and downed pilots, including in communications jamming or satellite-denied environments.

(i) The ability to deliver multiple lethal firing passes and sustain long loiter endurances.

(ii) Identification and assessment of gaps in the ability of existing and programmed mission platforms in providing required capabilities to conduct missions specified in clause (i) in both contested and un-contested battle environments.

(iii) Assessment of operational effectiveness of existing and programmed mission platforms to conduct missions specified in clause (i) in both contested and un-contested battle environments.

(iv) Assessment of probability of likelihood of conducting missions requiring troops-in-contact/close air support operations specified in clause (i) in contested and un-contested battle environments.

(v) Any other matters the independent entity of the Air Force determines to be appropriate.

(2) REPORT.—

(a) In GENERAL.—Not later than September 30, 2016, the Secretary of the Air Force shall submit to the congressional defense committees a report that includes the assessment required under paragraph (1).

(b) FORM.—The report required under subparagraph (A) may be submitted in classified form, but shall also contain an unclassified executive summary and may contain an unclassified annex.

(c) NONDISCLOSURE OF REPORT.—If any information required under paragraph (1) has been included in another report or notification submitted to Congress by law, the Secretary of the Air Force may provide a list of such reports and notifications at the time of submitting the report required under paragraph (1), but the list of information in the report required under paragraph (2).
SEC. 351. REPORT ON ARMY AND MARINE CORPS MODERNIZATION PLAN FOR SMALL ARMS.

(a) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of the Army and the Secretary of the Navy shall jointly submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the plan of the Army and the Marine Corps to modernize small arms for the Army and the Marine Corps during the 15-year period beginning on the date of such plan. The mechanisms to be used to promote competition among suppliers of small arms and small arms parts in achieving the plan.

(b) SMALL ARMS.—The small arms covered by the plan under subsection (a) shall include the following:

(1) Pistols.

(2) Carbines.

(3) Rifles and automatic rifles.

(4) Light machine guns.

(5) Such other small arms as the Secretaries of the military departments determine appropriate for purposes of the report required by subsection (a).

(c) NON-STANDARD SMALL ARMS.—In addition to the small arms specified in subsection (b), the plan under subsection (a) shall also address non-standard small arms not currently in the small arms inventory of the Army or the Marine Corps.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorization of Appropriations

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2036 for the use of the Department of Defense for research, development, test, and evaluation as specified in the funding table in section 4201.

Subtitle B—Program Requirements, Restrictions, and Limitations

SEC. 211. CENTERS FOR SCIENCE, TECHNOLOGY, AND ENGINEERING PARTNERSHIP.

(a) DESIGNATION.—(1) The Secretary of Defense, in coordination with the Secretaries of the military departments, shall designate each science and technology reinvention laboratory (as defined in section 403 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–81; 10 U.S.C. 2358 note)).

(2) GUIDELINES.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense, acting through the Director of the Centers for Science, Technology, and Engineering Partnership in connection with the core competencies of a Center, as determined by the director of the Center, shall promulgate guidelines (including any rental costs) that are attributable to the entity’s use of the equipment or facilities, except under the circumstances described in section 2563(c)(3) of title 10, United States Code; and

(3) The Secretary of Defense shall implement and enforce the guidelines established under paragraph (2), the Secretary may authorize the use of facilities or equipment of the Department of Defense to perform (under contract, subcontract, or otherwise) work related to the core competencies of the Center, including any work that involves one or more core competencies of the Center.

(b) PRIVATE-PUBLIC PARTNERSHIPS.—(1) To achieve the direct costs (including any rental costs) that are attributable to the entity’s use of the equipment or facilities, as determined by the Secretary of Defense, any facilities or equipment of the Center that are not currently in the small arms inventory of the Army or the Marine Corps.

(b) SMALL ARMS.—The small arms covered by the plan under subsection (a) shall also include the following:

(1) Pistols.

(2) Carbines.

(3) Rifles and automatic rifles.

(4) Light machine guns.

(5) Such other small arms as the Secretaries of the military departments determine appropriate for purposes of the report required by subsection (a).

(c) NON-STANDARD SMALL ARMS.—In addition to the small arms specified in subsection (b), the plan under subsection (a) shall also address non-standard small arms not currently in the small arms inventory of the Army or the Marine Corps.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorization of Appropriations

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2036 for the use of the Department of Defense for research, development, test, and evaluation as specified in the funding table in section 4201.

Subtitle B—Program Requirements, Restrictions, and Limitations

SEC. 211. CENTERS FOR SCIENCE, TECHNOLOGY, AND ENGINEERING PARTNERSHIP.

(a) DESIGNATION.—(1) The Secretary of Defense, in coordination with the Secretaries of the military departments, shall designate each science and technology reinvention laboratory (as defined in section 403 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–81; 10 U.S.C. 2358 note)).

(b) PRIVATE-PUBLIC PARTNERSHIPS.—(1) To achieve the direct costs (including any rental costs) that are attributable to the entity’s use of the equipment or facilities, except under the circumstances described in section 2563(c)(3) of title 10, United States Code; and

(2) The private-sector entity agrees—

(A) to reimburse the Department of Defense for the direct costs (including any rental costs) that are attributable to the entity’s use of the equipment or facilities, as determined by the Secretary of Defense, any facilities or equipment of the Center that are not currently in the small arms inventory of the Army or the Marine Corps.

(b) SMALL ARMS.—The small arms covered by the plan under subsection (a) shall also include the following:

(1) Pistols.

(2) Carbines.

(3) Rifles and automatic rifles.

(4) Light machine guns.

(5) Such other small arms as the Secretaries of the military departments determine appropriate for purposes of the report required by subsection (a).

(c) NON-STANDARD SMALL ARMS.—In addition to the small arms specified in subsection (b), the plan under subsection (a) shall also address non-standard small arms not currently in the small arms inventory of the Army or the Marine Corps.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorization of Appropriations

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2036 for the use of the Department of Defense for research, development, test, and evaluation as specified in the funding table in section 4201.

Subtitle B—Program Requirements, Restrictions, and Limitations

SEC. 211. CENTERS FOR SCIENCE, TECHNOLOGY, AND ENGINEERING PARTNERSHIP.

(a) DESIGNATION.—(1) The Secretary of Defense, in coordination with the Secretaries of the military departments, shall designate each science and technology reinvention laboratory (as defined in section 403 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–81; 10 U.S.C. 2358 note)).

(b) PRIVATE-PUBLIC PARTNERSHIPS.—(1) To achieve the direct costs (including any rental costs) that are attributable to the entity’s use of the equipment or facilities, except under the circumstances described in section 2563(c)(3) of title 10, United States Code; and

(2) The private-sector entity agrees—

(A) to reimburse the Department of Defense for the direct costs (including any rental costs) that are attributable to the entity’s use of the equipment or facilities, as determined by the Secretary of Defense, any facilities or equipment of the Center that are not currently in the small arms inventory of the Army or the Marine Corps.

(b) SMALL ARMS.—The small arms covered by the plan under subsection (a) shall also include the following:

(1) Pistols.

(2) Carbines.

(3) Rifles and automatic rifles.

(4) Light machine guns.

(5) Such other small arms as the Secretaries of the military departments determine appropriate for purposes of the report required by subsection (a).

(c) NON-STANDARD SMALL ARMS.—In addition to the small arms specified in subsection (b), the plan under subsection (a) shall also address non-standard small arms not currently in the small arms inventory of the Army or the Marine Corps.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorization of Appropriations

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2036 for the use of the Department of Defense for research, development, test, and evaluation as specified in the funding table in section 4201.

Subtitle B—Program Requirements, Restrictions, and Limitations

SEC. 211. CENTERS FOR SCIENCE, TECHNOLOGY, AND ENGINEERING PARTNERSHIP.

(a) DESIGNATION.—(1) The Secretary of Defense, in coordination with the Secretaries of the military departments, shall designate each science and technology reinvention laboratory (as defined in section 403 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–81; 10 U.S.C. 2358 note)).

(b) PRIVATE-PUBLIC PARTNERSHIPS.—(1) To achieve the direct costs (including any rental costs) that are attributable to the entity’s use of the equipment or facilities, except under the circumstances described in section 2563(c)(3) of title 10, United States Code; and

(2) The private-sector entity agrees—

(A) to reimburse the Department of Defense for the direct costs (including any rental costs) that are attributable to the entity’s use of the equipment or facilities, as determined by the Secretary of Defense, any facilities or equipment of the Center that are not currently in the small arms inventory of the Army or the Marine Corps.

(b) SMALL ARMS.—The small arms covered by the plan under subsection (a) shall also include the following:

(1) Pistols.

(2) Carbines.

(3) Rifles and automatic rifles.

(4) Light machine guns.

(5) Such other small arms as the Secretaries of the military departments determine appropriate for purposes of the report required by subsection (a).

(c) NON-STANDARD SMALL ARMS.—In addition to the small arms specified in subsection (b), the plan under subsection (a) shall also address non-standard small arms not currently in the small arms inventory of the Army or the Marine Corps.
the Secretary, in consultation with such officials and third-party experts as the Secretary considers appropriate, shall develop a directed energy strategy to ensure that the United States directs defense and policies of the Department are being developed and deployed at an accelerated pace.

(2) COMPONENTS OF STRATEGY.—The strategy required by paragraph (1) shall include the following:

(A) A technology roadmap for directed energy that can be used to manage and assess investments in directed energy technologies and capabilities consistent with the directed energy strategy.

(B) Proposals for legislative and administrative action to improve the ability of the Department to develop and deploy directed energy technologies and capabilities.

(C) An approach to program management that is designed to accelerate operational prototyping of directed energy technologies and develop cost-effective, real-world military applications for such technologies.

(3) BIPENNIAL REVIEWS.—Not less frequently than once every 2 years, the Secretary shall revise the strategy required by paragraph (1).

(4) INTRATENTATIVE TO CONGRESS.—(A) Not later than 90 days after the date on which the Secretary completes the development of the strategy required by paragraph (1) and not later than the date on which the Secretary completes a revision to such strategy under paragraph (3), the Secretary shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a copy of such strategy.

(b) The strategy submitted under subparagraph (A) shall be submitted in unclassified form, but may include a classified annex.

(c) APPLICATIONS FOR FUNDING.—(1) IN GENERAL.—Under the program, the Secretary may transfer funding to any eligible entity to enter into transactions, cooperation agreements, or other transaction agreements entered into pursuant to section 243 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 10 U.S.C. 2359a note) without regard to whether or not the amounts made available for the program under the program for more than two years.

(2) ELIGIBLE ENTITIES.—For purposes of this section, an eligible entity includes the following:

(A) The Secretary, Acting through the Undersecretary of Acquisition, Technology, and Logistics, the Deputy Chief Management Officer, and the Chief Information Officer shall establish a set of science, technology, and innovation activities and initiatives to provide the acquisition outcomes of major automated information systems (DOD systems) and improved performance and reduced developmental and life cycle costs.

(b) EXECUTION OF ACTIVITIES.—The activities established under subsection (a) shall be carried out by such military departments and defense agencies as the Secretary determines.

(c) ACTIVITIES.—The set of activities established under subsection (a) may include the following:

(1) Development of capabilities in Department of Defense laboratories, test centers, and Federally-funded research and development centers to provide technical support for acquisition program management and the business process re-engineering activities.

(2) Funding of intramural and extramural research and development activities as described in subsection (d).

(d) FUNDING OF INTRAMURAL AND EXTRAMURAL RESEARCH AND DEVELOPMENT.—(1) IN GENERAL.—In carrying out the set of activities required by subsection (a), the Secretary may award grants or contracts to eligible entities to carry out intramural or extramural research and development in areas of interest described in paragraph (3).

(2) ELIGIBLE ENTITIES.—For purposes of this subsection, an eligible entity includes the following:

(A) Entities in the defense industry.

(B) Institutions of higher education.

(C) Small businesses.

(D) Nontraditional defense contractors (as defined in section 2302 of title 10, United States Code).

(E) Federally-funded research and development centers, primarily for the purpose of improving technical expertise to support acquisition efforts.

(F) Nonprofit research institutions.

(G) Government laboratories and test centers, primarily for the purpose of improving technical expertise to support acquisition efforts.

(3) AREAS OF INTEREST.—The areas of interest described in this paragraph are the following:

(A) Management innovation, including personnel and financial management policy innovation.

(B) Business process re-engineering.

(C) Systems engineering of information technology business systems.

(D) Cloud computing to support business systems and business processes.

(E) Software development, including systems and techniques to limit unique interfaces and simplify processes to customize commercial software to meet the needs of the Department of Defense.

(F) Hardware development, including systems and techniques to limit unique interfaces and simplify processes to customize commercial hardware to meet the needs of the Department of Defense.

(G) Development of methodologies and tools to support development and operational test of large and complex business systems.

(H) Analysis tools to allow decision makers to balance between requirements, costs, risks, and schedule in major automated information system acquisition programs.

(I) Information security in major automated information systems.

(J) Innovative acquisition policies and practices to streamline acquisition of information technology systems.

(K) Other areas as the Secretary considers appropriate.

(e) PRIORITIES.—
(1) In general.—In carrying out the set of activities required by subsection (a), the Secretary shall give priority to—

(A) projects that—

(i) address the innovation and technology needs of the Department of Defense; and

(ii) support activities of initiatives, programs, and offices identified by the Under Secretary of Defense, and Deputy Chief Management Officer; and

(B) the projects and programs identified in paragraph (2).

(2) Projects and programs identified.—The projects and programs identified in this paragraph are the following:

(A) Major automated information system programs;

(B) Projects and programs under the oversight of the Deputy Chief Management Officer;

(C) Projects and programs relating to defense procurement acquisition policy;

(D) Projects and programs of the Defense Contract Audit Agency;

(E) Military and civilian personnel policy development for information technology workforce.

SEC. 216. EXPANSION OF ELIGIBILITY FOR FINANCIAL ASSISTANCE UNDER DEPARTMENT OF DEFENSE SCIENCE, MATHEMATICS, AND RESEARCH FOR TECHNOLOGY TRANSFORMATION PROGRAM TO INCLUDE CITIZENS OF COUNTRIES PARTICIPATING IN THE TECHNICAL COOPERATION PROGRAM.

Section 219(b)(1)(A) of title 10, United States Code, is amended by inserting “of a country the government of which is a party to The Technical Cooperation Program (TTCP) memorandum of understanding of October 24, 1995” after “United States”.

SEC. 217. STREAMLINING THE JOINT FEDERATED EXPERIMENTATION PROGRAM.

Section 937(c)(2) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 10 U.S.C. 2224 note) is amended—

(1) in paragraph (C), by striking “, and coordination with the Center for Assured Software of the National Security Agency,”; and

(2) in paragraph (E), by striking “, and coordination with the Defense Microelectronics Activity.”

SEC. 218. LIMITATION ON AVAILABILITY OF FUNDS FOR DEVELOPMENT OF THE SHALLOW WATER COMBAT SUBMERGIBLE.

(a) Limitation.—Of the amounts authorized to be appropriated in this Act or otherwise made available for fiscal year 2016 for Special Operations Command for development of the Shallow Water Combat Submersible, not more than 25 percent may be obligated or expended until the date that is 15 days after the later of the date on which—

(1) the Under Secretary of Defense for Acquisition, Technology, and Logistics designates a civilian official responsible for oversight and assistance to Special Operations Command for all undersea mobility programs; and

(2) the Under Secretary, in coordination with the Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict, submits to the congressional defense committees the report described in subsection (b).

(b) Report described.—The report described in this subsection is a report on the Shallow Water Combat Submersible that includes the following:

(1) An analysis of the reasons for cost and schedule overruns associated with the Shallow Water Combat Submersible program.

(2) An initial and full operational capability of the Shallow Water Combat Submersible.

(3) The projected cost to meet the total unit acquisition objective.

(4) A plan to prevent, identify, and mitigate any additional cost and schedule overruns.

(5) A description of such opportunities as may be to recover cost or schedule.

(6) A description of such lessons as the Under Secretary have learned from the Shallow Water Combat Submersible program that could be applied to future undersea mobility acquisition programs.

(7) Such other matters as the Under Secretary considers appropriate.

(b) Report required.—The Commander shall submit to the congressional defense committees a report on the distributed common ground system. Such report shall include the following:

(1) A review of the segmentation of the distributed common ground system special operations forces program for which commercial software exists that is capable of filling most or all of the system requirements for each such component.

(2) A cost analysis of each such commercial software that compares performance with projected cost.

(3) The determination of the degree to which commercial software solutions are compliant with the standards required by the framework and guidance for the Intelligence Community Information Technology Enterprise, the Defense Intelligence Information Enterprise, and the Joint Information Environment.

(4) Identification of each component of the distributed common ground system special operations forces program that the Commander determines may be acquired through competitive means.

(5) An assessment of the extent to which elements of the distributed common ground system special operations forces program could be modified to increase commercial acquisition opportunities.

(6) An acquisition plan that leads to full operational capability prior to fiscal year 2019.

Subtitle C—Other Matters

SEC. 231. ASSESSMENT OF AIR-LAND MOBILE TACTICAL COMMUNICATIONS AND DATA NETWORK REQUIREMENTS AND CAPABILITIES.

(a) Assessment required.—The Director of Operational Test and Evaluation shall conduct an independent assessment of current and future requirements and capabilities of the Department of Defense with respect to an airland ad hoc, mobile tactical communication and data network, including the technological feasibility, survivability of such a network.

(b) Elements.—The assessment required under subsection (a) shall include the following:

(1) Concepts, capabilities, and capacities of current or future communications and data networks among systems and integrated systems of current or future tactical operations effectively, efficiently, and affordably.
(2) Software requirements and capabilities, particularly with respect to communications and data network waveforms.

(3) Hardware requirements and capabilities, particularly with respect to transmission technology, tactical communications, and data radios at all levels and on all platforms, all associated technologies, and their operation, compatibility, and interoperability.

(4) Any other matters that the independent entity deems relevant or necessary for this assessment of tactical networks or networking.

(c) INDEPENDENT ENTITY.—The Director of Cost Assessment and Program Evaluation shall select an independent entity to conduct the assessment, and the Secretary of Defense shall use funds authorized by this Act or otherwise made available for fiscal year 2016 for Operation and Maintenance, Defense-Wide to conduct this study under this section.

(d) Report Required.—Not later than April 30, 2016, the Secretary of Defense shall submit to the congressional defense committees a report including the findings and recommendations of the assessment conducted under subsection (a), together with the Secretary’s comments.

(e) AVAILABILITY OF FUNDS.—The Secretary of Defense shall use funds authorized by this Act or otherwise made available for fiscal year 2016 for Operation and Maintenance, Defense-Wide to carry out activities under this section.

(f) LIMITATION ON OBLIGATION OF FUNDS.—The Secretary of the Army may not obligate funds otherwise provided for in this Act or otherwise made available for fiscal year 2016 for Other Procurement, Operation and Maintenance, Defense-Wide to conduct this study under subsection (a), until the Secretary of Defense submits the report required under subsection (d).

SEC. 232. STUDY OF FIELD FAILURES INVOLVING COUNTERFEIT ELECTRONIC PARTS.

(a) IN GENERAL.—The Secretary of Defense shall conduct a hardware assurance study to assess the presence, scope, and effect on Department of Defense operations of counterfeit electronic parts that have passed through the Department supply chain and into field systems.

(b) EXECUTION AND TECHNICAL ANALYSIS.—

(1) IN GENERAL.—The Secretary shall conduct the study required under this section in accordance with section 937(a)(1) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66; 10 U.S.C. 2224 note) to coordinate execution of the study required by subsection (a) using capabilities of the Department in effect on the day before the date of the enactment of this Act.

(2) ELEMENTS.—The technical analysis required by paragraph (1) shall include the following:

(A) Selection of a representative sample of electronic component types, including digital, mixed-signal, and analog integrated circuits.

(B) An assessment of the presence of counterfeit parts, including causes and attributes of failures of any identified counterfeit part.

(C) For components found to have counterfeit parts present, an assessment of the impact of the counterfeit part in the failure mechanism.

(D) A comparison of performance against specifications to hardware with counterfeit parts.

(E) Recommendations.—As part of the study required by subsection (a), the Secretary shall develop recommendations for such legislative and administrative action, including funding requirements, as the Secretary considers necessary to conduct samplings of hardware analysis of counterfeit parts in identified areas of high concern.

 SEC. 233. DEMONSTRATION OF PERSISTENT CLOSE AIR SUPPORT CAPABILITIES.

(a) JOINT DEMONSTRATION REQUIRED.—The Secretary of the Air Force, the Secretary of the Navy, and the Director of the Defense Advanced Research Projects Agency shall jointly conduct a demonstration of the Persistent Close Air Support (PCAS) capability in fiscal year 2016.

(b) PARAMETERS OF DEMONSTRATION.—

(1) SELECTION AND EQUIPMENT OF AIRCRAFT.—As part of the demonstration required by section (a), the Secretary of the Air Force shall select and equip at least two aircraft for use in the demonstration that the Secretary otherwise intends to use for close air support, as identified by the United States Air Force Close Air Support Forum.

(2) CLOSE AIR SUPPORT OPERATIONS.—The demonstration required by subsection (a) shall include close air support operations that involve the following:

(A) Multiple tactical radio networks representing diverse ground force user communities.

(B) Two-way digital exchanges of situational awareness data, video, and calls for fire between aircraft and ground users without modification to aircraft operational flight profiles.

(C) Real-time sharing of blue force, aircraft, and target location data to reduce risks of fratricide.

(D) Lightweight digital tools based on commercial-off-the-shelf technology for pilot and joint tactical air controllers.

(E) Operations in simple and complex operating environments.

(c) ASSESSMENT.—The Secretary of the Air Force, the Secretary of the Navy, and the Director of the Defense Advanced Research Projects Agency shall jointly—

(1) assess the effect of the capabilities demonstrated as part of the demonstration required by subsection (a) on—

(A) the time required to conduct close air support operations;

(B) the effectiveness of blue force in achieving tactical objectives; and

(C) the risk of fratricide and collateral damage; and

(2) estimate the costs that would be incurred in transitioning the technology used in the Persistent Close Air Support capability to the Army and the Air Force.

SEC. 234. AIRBORNE DATA LINK PLAN.

(a) PLAN REQUIREMENTS.—The Under Secretary of Defense for Acquisition, Technology, and Logistics and the Vice Chairman of the Joint Chiefs of Staff shall jointly, in consultation with the Secretary of the Air Force and the Secretary of the Navy, develop a plan—

(1) to provide objective survivable communications gateways to enable homeland defense and national and tactical intelligence information to fourth-generation fighter aircraft and supporting airborne platforms and to low-observable penetrating platforms such as the F-22 and F-35; and

(2) to provide secure data sharing between the fifth-generation fighter aircraft of the Air Force, Navy, and Marine Corps, with minimal changes to the outer surfaces of the aircraft and to aircraft operation flight programs; and

(b) ADDITIONAL PLAN REQUIREMENTS.—The plan required by subsection (a) shall include non-proprietary and open systems approaches that are compatible with the Rapid Capabilities Office Open Mission Systems Initiative of the Air Force and the Future Airborne Capability Environment initiative of the Navy.

(c) PROHIBITION.—No funds may be obligated or expended by the Department of Defense on the intercomm initiatives identified as Talon Hate and Multi-DoM, or the Portable Processing System until the congressional defense committees are briefed by the Under Secretary or the Vice Chair about the plan required by subsection (a).

SEC. 235. REPORT ON TECHNOLOGY READINESS LEVELS OF THE TECHNOLOGIES AND CAPABILITIES CRITICAL TO THE LONG RANGE STRIKE BOMBER AIRCRAFT.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the Technology Readiness Levels (TRLs) of the technologies and capabilities critical to the Long Range Strike Bomber Aircraft.

(b) REVIEW BY COMPTROLLER GENERAL OF THE UNITED STATES.—Not later than 60 days after the date of the enactment of this Act, the Secretary of the Treasury shall submit a report to the Comptroller General of the United States that includes an assessment of the matters contained in the report.

TITLe III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

SEC. 301. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2016 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for operation and maintenance, as specified in the funding table in section 4301.

Subtitle B—Energy and Environment

SEC. 311. MODIFICATION OF ENERGY MANAGEMENT REPORTING REQUIREMENTS.

Section 2925(a) of title 10, United States Code, is amended—

(1) by striking paragraphs (4) and (7); and

(2) by redesigning paragraphs (5), (6), (8), (9), (10), (11), and (12) as paragraphs (4), (5), (6), (7), (8), (9), and (10), respectively; and

(3) by amending paragraph (7), as redesignated by paragraph (2) of this section, to read as follows:

"(7) A description and estimate of the progress made by the military departments in meeting current high performance and sustainable building standards under the Unified Facilities Criteria;"

(4) by amending paragraph (9), as redesignated by such paragraph (2), to read as follows:

"(9) Details of all commercial utility outages attributed to threats and those caused by hazards at military installations that last eight hours or longer, whether or not the..."
outage was mitigated by backup power, including non-commercial utility outages and Department of Defense-owned infrastructure, including the total number and location of outages, the financial impact of the outages, and measure taken to mitigate outages in the future at the affected locations and across the Department of Defense.

SEC. 312. REPORT ON EFFORTS TO REDUCE ENERGY COSTS AT MILITARY INSTALLATIONS.

(a) REPORT.—
(1) REPORT REQUIRED.—Not later than 270 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition, Technology, and Logistics, in conjunction with the assistant secretaries responsible for installations and environment for the military services and the Defense Logistics Agency, shall submit to the congressional defense committees a report detailing the efforts to achieve cost savings at military installations with high energy costs.

(2) Report required under paragraph (1) shall include the following elements:

(A) A comprehensive, installation-specific assessment that could achieve energy initiatives supporting energy production and consumption at military installations with high energy costs.

(B) A current sources of energy in areas with high energy costs and potential future sources that are technologically feasible, cost-effective, and mission-appropriate for military installations.

(C) A comprehensive implementation strategy to include required investment for feasible energy efficiency options determined to be cost-effective and cost-effective, where appropriate, and consistent with Department of Defense priorities.

(D) An explanation on how military services are working collaboratively in order to leverage lessons learned on potential energy efficiency solutions.

(E) An assessment of extent of which activities administered under the Federal Energy Management Program could be used to assist with the implementation strategy.

(F) An assessment of State and local partners that could achieve energy efficiency and cost savings, and any legislative authorities required to carry out such partnerships or agreements.

(G) A methodology with State and Local and Other Entities.—In preparing the report required under paragraph (1), the Under Secretary may work in conjunction and coordination with the States containing areas of high energy costs, local communities, and other Federal departments and agencies.

(b) DEFINITIONS.—In this section, the term ‘high energy costs’ means costs for the provision of energy by kilowatt of electricity or ‘high energy costs’ means costs for the provision of energy by kilowatt of electricity or 'high energy costs' means costs for the provision of energy by kilowatt of electricity or 'high energy costs' means costs for the provision of energy by kilowatt of electricity or 'high energy costs' means costs for the provision of energy by kilowatt of electricity.

(1) The area that includes Naval Base Ventura County, San Nicolas Island, and Begg Rock and the adjacent and surrounding waters within the following coordinates:

- N. Latitude/ W. Longitude
  - 33°27’4”/119°34’4”
  - 33°20’5”/119°15’5”
  - 33°17’9”/119°11’9”
  - 33°05’6”/119°13’5”
  - 33°02’8”/119°28’6”
  - 33°00’3”/119°45’3”
  - 33°17’2”/119°56’9”
  - 33°30’9”/119°54’2”

(2) The area that includes Naval Base Coronado, San Clemente Island and the adjacent and surrounding waters running parallel to shore from high tide to the high tide line designated by part 165 of title 33, Code of Federal Regulations, on May 20, 2010, as the San Clemente Island 3NM Safety Zone.

(3) Activities within the Southern Sea Otter Military Readiness Areas.—


(b) INCIDENTAL TAKINGS UNDER MARINE MAMMAL PROTECTION ACT OF 1972.—Sections 101 and 102 of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1371, 1372) shall not apply with respect to the incidental taking of any southern sea otter in the Southern Sea Otter Military Readiness Areas in the course of conducting a military readiness activity.

(c) TREATMENT AS SPECIES PROPOSED TO BE LISTED.—For purposes of conducting a military readiness activity, any southern sea otter while within the Southern Sea Otter Military Readiness Areas shall be treated for the purposes of section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536) as a member of a species that is proposed to be listed as an endangered species or a threatened species under section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533).

(d) REMOVAL.—Nothing in this section or any other Federal law shall be construed to require the removal of any southern sea otter located within the Southern Sea Otter Military Readiness Areas be removed from the Areas.

(e) REVISION OR TERMINATION OF EXCEPTIONS.—The Secretaries involved in the decision to add or remove an area or to modify the boundaries of the area may revise or terminate the application of subsection (b) if the Secretary of the Interior, in consultation with the Secretary of the Navy and the Marine Mammal Commission, determines that military activities occurring in the Southern Sea Otter Military Readiness Areas are impeding the southern sea otter conservation or the return of southern sea otters to optimum sustainable populations levels.

(f) MONITORING.—

(1) IN GENERAL.—The Secretary of the Navy shall conduct monitoring and research within the Southern Sea Otter Military Readiness Areas to determine the effects of military readiness activities on the growth or decline of the southern sea otter population and to develop a comprehensive conservation strategy for the ecosystem of which they form a constituent element.

(2) NOTIFICATION.—The term ‘military readiness activity’ has the meaning given that term in section 313(f) of the Bob Stump National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383) and includes all training and operations of the armed forces that relate to combat and the adequate and realistic test- ing, inspection, and operation of military equipment, vehicles, weapons, and sensors for proper operation and suitability for combat use.

(3) OPTIMUM SUSTAINABLE POPULATION.—The term ‘optimum sustainable population’ means, with respect to any population stock, the number of animals that will result in the maximum productivity of the population or the species, keeping in mind the carrying capacity of the habitat and the health of the ecosystem of which they form a constituent element.

(4) CLERICAL AMENDMENT.—The table of sections at the beginning of this chapter is amended by adding at the end the following new item:

‘‘7235. Establishment of the Southern Sea Otter Military Readiness Areas.’’.)

(c) CONFORMING AMENDMENT.—Section 1 of Public Law 99–625 (16 U.S.C. 1536 note) is repealed.

Subtitle D—Reports

SEC. 331. MODIFICATION OF ANNUAL REPORT ON PREPOSITIONED MATERIAL AND EQUIPMENT.

Section 229(a)(8) of title 10, United States Code, is amended to read as follows:

‘‘(8) A list of any equipment used in support of contingency operations slated for retrograde and subsequent inclusion in the prepositioned stocks.’’.

Subtitle E—Limitations and Extensions of Authority

SEC. 341. MODIFICATION OF REQUIREMENTS FOR TRANSFERRING AIRCRAFT WITHIN THE AIR FORCE INVENTORY.

(a) MODIFICATION OF TITLE 10.—Section 345 of the National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 10 U.S.C. 8062 note) is amended—

(1) in subsection (a)—

(A) by striking the first sentence and inserting the following: ‘‘Before making an aircraft transfer described in subsection (c), the Secretary of the Air Force may not transfer to Congress that a written agreement regarding such transfer has been entered into between the Chief of

(Congressional Record — Senate)

June 2, 2015

S3476
(A) the permanent assignment of an aircraft that terminates a reserve component's equitable interest in the aircraft;

(B) possession of an aircraft for a period in excess of 90 days.

(2) A transfer described in paragraph (1) does not apply to the following:

(A) A routine temporary transfer of possession of an aircraft from a reserve component that is provided for the benefit of the reserve component for the purpose of maintenance, upgrade, conversion, modification, or testing and evaluation.

(B) A routine permanent transfer of assignment of an aircraft that terminates a reserve component's equitable interest in the aircraft if notice of the transfer has previously been approved by the Secretary of Defense, the Secretary of the Department of the Air Force, the Secretary of the Navy, or the Secretary of the Air Force.

(c) COVERED AIRCRAFT TRANSFERS.—(1) An aircraft transfer described in this subsection is the transfer (other than as specified in paragraph (2)) from a reserve component of the Air Force to the regular component of the Air Force of—

(A) the permanent assignment of an aircraft that terminates a reserve component's equitable interest in the aircraft;

(B) possession of an aircraft for a period in excess of 90 days.

(2) Paragraph (1) does not apply to the following:

(A) A routine temporary transfer of possession of an aircraft from a reserve component that is provided for the benefit of the reserve component for the purpose of maintenance, upgrade, conversion, modification, or testing and evaluation.

(B) A routine permanent transfer of assignment of an aircraft that terminates a reserve component's equitable interest in the aircraft if notice of the transfer has previously been approved by the Secretary of Defense, the Secretary of the Department of the Air Force, the Secretary of the Navy, or the Secretary of the Air Force.

Subtitle F—Other Matters

SEC. 351. STREAMLINING OF DEPARTMENT OF DEFENSE MANAGEMENT AND OPERATIONAL HEADQUARTERS.

(a) COMPREHENSIVE REVIEW OF HEADQUARTERS.—

(1) IN GENERAL.—The Secretary of Defense shall conduct a comprehensive review of the management and operational headquarters of the Department of Defense for the purpose of consolidating and streamlining headquarters functions.

(2) ELEMENTS.—The review required by paragraph (1) shall address the following:

(A) The extent, if any, to which the staff of the Secretaries of the military departments, the Defense Agencies, and other organizations have duplicative staff functions and services and could be consolidated into a single service staff.

(B) The extent, if any, to which the staff of the Office of the Secretary of Defense, the military departments, the Defense Agencies, and temporary organizations have duplicative staff functions and services and could be consolidated into a single service staff.

(3) SUBMISSION.—The Secretary shall submit to Congress a report that includes—

(A) a description of the actions being taken to coordinate efforts of the Department relating to such sponsorships, advertising, and marketing, and to minimize duplicative contracts for such sponsorships, advertising, and marketing, as applicable; and

(B) the results of the review required by paragraph (1), including an assessment of the extent to which continuing use of Department funds for such activities and contracts for such sponsorships, advertising, and marketing is warranted in light of the review and the actions described pursuant to subparagraph (A).

SEC. 353. TECHNICAL AMENDMENT TO SUBORDINATION TO EXTEND CONTRACTS AND LEASES UNDER ARMS INITIATIVE.

Contracts or subcontracts entered into pursuant to section 2564a of title 10, United States Code, on or before the date that is five years after the date of the enactment of this Act may include an option to extend the term of the contract or subcontract for an additional 25 years.
competitive for increased responsibility and authority through subsequent assignment or promotion, including by identifying—

(I) circumstances, if any, in which officers spend a disproportionate amount of time in their careers to attain joint officer qualifications with corresponding loss of opportunities to develop in the service-specific assignments to which they are assigned; and

(II) circumstances, if any, in which the military departments detail officers to joint headquarters staffs in order to maximize the number of officers receiving joint duty credit with a focus on the quantity, instead of the quality, of officers achieving joint duty credit;

(v) to establish commanders' strategic planning groups, advisory groups, or similar parallel personal staff entities that could risk isolating function and staff processes, including an assessment of the justification used to establish such personal staff organizations and their impact on the effectiveness and efficiency of organizational staff functions, services, capabilities, and capacities; and

(vi) to ensure the identification and management of officers serving or having served in units in subordinate service component or joint commands during combat operations and did not receive joint duty credit for such service.

(3) CONGRESSIONAL REPORT.—The Secretary shall, to the extent practicable and as the Secretary considers appropriate, conduct the review required by paragraph (1) in consultation with such experts on matters covered by the review who are independent of the Department of Defense.

(4) REPORT.—Not later than March 1, 2016, the Secretary shall submit to the congressional defense committees a report setting forth the results of the review required by paragraph (1).

(b) PLAN ON REDUCTION IN AMOUNTS USED FOR ADMINISTRATION IN FISCAL YEARS 2016 THROUGH 2019.—

(1) IN GENERAL.—Not later than January 31, 2016, the Secretary of Defense shall submit to the congressional defense committees a report setting forth a plan for the reduction in amounts used for administration for the fiscal years 2016 through 2019.

(a) TRANSFER FOR ADOPTION.—Subsection (f) of section 2583 of title 10, United States Code, is amended in the matter preceding paragraph (1) by striking "may transfer" and inserting "shall transfer".

(b) PREFERENCE IN ADOPTION FOR FORMER HANDLERS.—Such section is further amended—

(1) by redesignating subsection (g) as subsection (h); and

(2) by inserting after subsection (f) the following new subsection (g):

"(g) PREFERENCE IN ADOPTION OF RETIRED MILITARY WORKING DOGS FOR FORMER HANDLERS.—(1) In providing for the adoption under this section of a retired military working dog described in paragraph (1) or (3) of subsection (a), the Secretary of Defense may, at the request of the handler of the dog, whose adoption of the dog will best serve the dog, accord a preference to the handler of the dog.

"(2) In the case of a dog covered by paragraph (1) with more than one former handler seeking adoption of the dog at the time of adoption, the Secretary shall provide for the adoption of the dog by such former handler whose adoption of the dog will best serve the interests of the dog and such former handler.

"(3) Nothing in this subsection shall be construed as altering, revising, or overriding any policy of the Department of Defense for the adoption of military working dogs by law enforcement agencies before the end of the dogs' useful lives.''.

(c) MODIFICATION OF REQUIRED REVIEW PROJECTS.—(1) subsection (b)(1) during such fiscal year.

(2) LIMITATION ON AVAILABILITY OF FUNDS FOR CONTRACT PERSONNEL SUPPORT FOR OOD.—In each of fiscal years 2017, 2018, 2019, and 2020, amounts authorized to be appropriated for the Department of Defense and available for the Office of the Secretary of Defense that are obligated or expended for contract personnel in support of the Office of the Secretary of Defense until the Secretary of Defense certifies to the congressional defense committees that the applicable requirement in subsection (b)(1) during such fiscal year.

(d) LIMITATION ON AVAILABILITY OF FUNDS FOR RESEARCH AND DEVELOPMENT.-In each of fiscal years 2017, 2018, 2019, and 2020, the Secretary of Defense shall submit to the congressional defense committees a report setting forth the assessment of the Comptroller General of the United States concerning the extent to which the Department of Defense met the applicable requirement in subsection (b)(1) during each of fiscal years 2017, 2018, 2019, and 2020, amounts authorized to be appropriated for the Department of Defense and available for the Office of the Secretary of Defense that are obligated or expended for contract personnel in support of the Office of the Secretary of Defense until the Secretary of Defense certifies to the congressional defense committees that the applicable requirement in subsection (b)(1) during such fiscal year.

(e) REPORT.—Not later than March 1, 2016, the Secretary of Defense shall submit to the congressional defense committees a report setting forth the results of the review required by paragraph (1) in consultation with such experts on matters covered by the review who are independent of the Department of Defense.

(f) EFFECTIVE DATE.—This section shall take effect on the date that is five years after the date on which this Act is enacted.
(2) CEREMONIAL. — The table of sections at the beginning of chapter 39 of such title is amended by striking the item relating to section 691.

(b) AUTHORITY TO INCREASE END STRENGTHS. —

(1) SECRETARY OF DEFENSE AUTHORITY. —

Subsection (f) of section 115 of title 10, United States Code, is amended by striking “increase” each place it appears and inserting “vary”.

(2) SERVICE SECRETARY AUTHORITY. —

Subsection (f) of section 115 of title 10, United States Code, is amended by striking “increase” each place it appears and inserting “vary”.

Subtitle B—Reserve Forces

SEC. 411. END STRENGTHS FOR SELECTED RESERVE.

(a) IN GENERAL. — The Armed Forces are authorized strengths for Selected Reserve personnel of the reserve components as of September 30, 2016, as follows:

(1) The Army National Guard of the United States, 342,000.
(2) The Army Reserve, 198,000.
(3) The Navy Reserve, 26,099.
(4) The Marine Corps Reserve, 38,900.
(5) The Air Force Reserve, 7,000.
(6) The Coast Guard Reserve, 7,000.
(7) FISCAL YEAR 2016 LIMITATION ON NUMBERS OF NON-DUAL STATUS TECHNICIANS. —

The minimum number of military technicians (dual status) as of the last day of fiscal year 2016 for the reserve components of the Army and the Air Force (notwithstanding section 129 of title 10, United States Code) shall be the following:

(1) For the Army National Guard of the United States, 26,099.
(2) For the Army Reserve, 7,395.
(3) For the Air Force Reserve of the United States, 9,814.

(b) SENSE OF SENATE. — It is the sense of the Senate that the authorization to increase end strengths for fiscal year 2016 applicable to the Army National Guard as follows:

(1) The end strength for Selected Reserve personnel of the Army National Guard of the United States in section 411(a)(1) by up to 3,000 members in addition to the number specified in section 411(a)(1).

(2) The end strengths for Reserves serving on full-time duty for the purpose of organizing, administering, recruiting, instructing, or training the Army National Guard as of September 30, 2016, as follows:

(1) The Army National Guard of the United States, 30,770.
(2) The Army Reserve, 16,261.
(3) The Navy Reserve, 9,934.
(4) The Marine Corps Reserve, 2,280.
(5) The Air National Guard of the United States, 17,400.
(7) The Coast Guard Reserve, 3,000.

(c) LIMITATION. — The Chief of the National Guard Bureau may increase an end strength the authority in subsection (a) only if such increase is paid for out of funds appropriated for fiscal year 2016 for Operation and Maintenance, Army National Guard.

Subtitle C—Authorization of Appropriations

SEC. 411. END STRENGTHS FOR SELECTED RESERVE.

(a) IN GENERAL. — The Armed Forces are authorized strengths for Selected Reserve personnel of the reserve components as of September 30, 2016, as follows:

(1) The Army National Guard of the United States, 342,000.
(2) The Army Reserve, 198,000.
(3) The Navy Reserve, 26,099.
(4) The Marine Corps Reserve, 38,900.
(5) The Air Force Reserve, 7,000.
(6) The Coast Guard Reserve, 7,000.
(7) The end strength for Reserves serving on full-time duty for the purpose of organizing, administering, recruiting, instructing, or training the Army National Guard as of September 30, 2016, as follows:

(1) The Army National Guard of the United States, 30,770.
(2) The Army Reserve, 16,261.
(3) The Navy Reserve, 9,934.
(4) The Marine Corps Reserve, 2,280.
(5) The Air National Guard of the United States, 17,400.
(7) The Coast Guard Reserve, 3,000.

(b) SENSE OF SENATE. — It is the sense of the Senate that the authorization to increase end strengths for fiscal year 2016 applicable to the Army National Guard as follows:

(1) The end strength for Selected Reserve personnel of the Army National Guard of the United States in section 411(a)(1) by up to 3,000 members in addition to the number specified in section 411(a)(1).

(2) The end strengths for Reserves serving on full-time duty for the purpose of organizing, administering, recruiting, instructing, or training the Army National Guard as of September 30, 2016, as follows:

(1) The Army National Guard of the United States, 30,770.
(2) The Army Reserve, 16,261.
(3) The Navy Reserve, 9,934.
(4) The Marine Corps Reserve, 2,280.
(5) The Air National Guard of the United States, 17,400.
(7) The Coast Guard Reserve, 3,000.

(c) LIMITATION. — The Chief of the National Guard Bureau may increase an end strength the authority in subsection (a) only if such increase is paid for out of funds appropriated for fiscal year 2016 for Operation and Maintenance, Army National Guard.

Title V—Military Personnel Policy

Subtitle A—Officer Personnel Policy

SEC. 501. AUTHORITY OF PROMOTION BOARDS TO RECOMMEND OFFICERS OF PARTICULAR MERIT BE PLACED AT THE TOP OF THE PROMOTION LIST.

(a) AUTHORITY OF PROMOTION BOARDS TO RECOMMEND OFFICERS OF PARTICULAR MERIT BE PLACED AT TOP OF PROMOTION LIST.—Sec- tion 616 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(g)(1) In selecting the officers to be re- commended for promotion, a selection board may in its discretion authorize the Secretary of the military department concerned, recom- mend officers of particular merit, from among those officers selected for promotion, to be placed at the top of the promotion list promulgated by the Secretary under section 62(a)(1) of this title.

(2) The determination whether an officer is an officer of particular merit for purposes of this subsection shall be made in accord- ance with criteria prescribed by the Sec- retary of the military department concerned for such purposes.

(3) The number of such officers placed at the top of the promotion list may not exceed the number equal to 10 percent of the max- imum number of officers that the board is authorized to recommend for promotion in such competitive category. If the number de- termined under subsection (a) is less than one, the board may recommend one such offic- er.

(4) No officer may be recommended to be placed at the top of the promotion list unless the officer receives the recommendation of at least three-quarters of the members of a board for such placement.

(b) OFFICERS OF PARTICULAR MERIT AP- PERING AT TOP OF PROMOTION LIST.—Section
S3480

CONGRESSIONAL RECORD — SENATE

624(a)(1) of such title is amended by inserting
‘‘, except such officers of particular merit
who were approved by the President and recommended by the board to be placed at the
top of the promotion list under section 616(g)
of this title as these officers shall be placed
at the top of the promotion list in the order
recommended by the board’’ after ‘‘officers
on the active-duty list’’.
SEC. 502. MINIMUM GRADES FOR CERTAIN CORPS
AND RELATED POSITIONS IN THE
ARMY, NAVY, AND AIR FORCE.
(a) ARMY.—
(1) CHIEF OF LEGISLATIVE LIAISON.—Section

3023(a) of title 10, United States Code, is
amended in the second sentence by striking
‘‘the grade of major general’’ and inserting
‘‘a grade above the grade of colonel’’.
(2) ASSISTANT SURGEON GENERAL.—Section
3039(b) of such title is amended by striking
the last sentence and inserting the following
new sentence: ‘‘An officer appointed to that
position shall be an officer in a grade above
the grade of colonel.’’.
(3) CHIEF OF THE NURSE CORPS.—Section
3069(b) of such title is amended by striking
‘‘whose regular grade’’ and all that follows
through ‘‘major general.’’ and inserting ‘‘.
An officer appointed to that position shall be
an officer in a grade above the grade of colonel.’’.
(4) CHIEF OF THE VETERINARY CORPS.—Section 3084 of such title is amended by striking
the last sentence and inserting the following
new sentence: ‘‘An officer appointed to that
position shall be an officer in a grade above
the grade of lieutenant colonel.’’.
(b) NAVY.—
(1) CHIEF OF LEGISLATIVE AFFAIRS.—Section
5027(a) of title 10, United States Code, is
amended by striking ‘‘the grade of rear admiral’’ and inserting ‘‘a grade above the
grade of captain’’.
(2) CHIEF OF THE DENTAL CORPS.—Section
5138 of such title is amended—
(A) by striking subsections (a) and (b) and
inserting the following new subsection (a):
‘‘(a) There is a Chief of the Dental Corps in
the Department of the Navy. An officer assigned to that position shall be an officer in
a grade above the grade of captain.’’; and
(B) by redesignating subsections (c) and (d)
as subsections (b) and (c), respectively.
(3) DIRECTORS OF MEDICAL CORPS.—Section
5150(c) of such title is amended—
(A) in the first sentence, by striking ‘‘for
promotion’’ and all that follows through the
end of the sentence and inserting a period;
and
(B) by inserting after the first sentence the
following new sentence: ‘‘An officer so selected shall be an officer in a grade above the
grade of captain.’’.
(c) AIR FORCE.—
(1) CHIEF OF LEGISLATIVE LIAISON.—Section
8023(a) of title 10, United States Code, is
amended in the second sentence by striking
‘‘the grade of major general’’ and inserting
‘‘a grade above the grade of colonel’’.
(2) CHIEF OF THE NURSE CORPS.—Section
8069(b) of such title is amended by striking
‘‘whose regular grade’’ and all that follows
through ‘‘major general.’’ and inserting ‘‘.
An officer appointed to that position shall be
an officer in a grade above the grade of colonel.’’.
(3) ASSISTANT SURGEON GENERAL FOR DENTAL SERVICES.—Section 8081 of such title is
amended by striking the second sentence and
inserting the following new sentence: ‘‘An officer appointed to that position shall be an
officer in a grade above the grade of colonel.’’.
(d) TRANSITION.—In the case of an officer
who on the date of the enactment of this Act
is serving in a position that is covered by an
amendment made by this section, the continued service of that officer in such position

after the date of the enactment of this Act
shall not be affected by that amendment.
SEC. 503. ENHANCEMENT OF MILITARY PERSONNEL AUTHORITIES IN CONNECTION WITH THE DEFENSE ACQUISITION WORKFORCE.
(a) INCLUSION OF ACQUISITION MATTERS
WITHIN JOINT MATTERS FOR OFFICER MANAGEMENT.—
(1) JOINT MATTERS.—Subsection (a)(1) of

section 688 of title 10, United States Code, is
amended—
(A) in subparagraph (D), by striking ‘‘or’’
at the end;
(B) in subparagraph (E), by striking the period at the end and inserting ‘‘; or’’; and
(C) by adding at the end the following new
subparagraph:
‘‘(E) acquisition addressed by military personnel acting under chapter 87 of this title.’’.
(2) JOINT DUTY ASSIGNMENT.—Subsection
(b)(1)(A) of such section is amended by striking ‘‘limited to assignments in which’’ and
all that follows and inserting ‘‘limited to—
‘‘(i) assignments in which the officer gains
significant experience in joint matters; and
‘‘(ii) assignments pursuant to chapter 87 of
this title; and’’.
(b) REQUIREMENTS FOR MILITARY PERSONNEL IN THE ACQUISITION FIELD.—
(1) CONSULTATION OF SERVICE CHIEFS IN
POLICIES AND GUIDANCE.—Subsection (a) of
section 1722a of title 10, United States Code,
is amended by inserting after ‘‘such military
department)’’ the following: ‘‘, in consultation with the Chief of Staff of the Army, the
Chief of Naval Operations, the Chief of Staff
of the Air Force, and the Commandant of the
Marine Corps (with respect to the armed
force under the jurisdiction of each),’’.
(2) ENHANCED CAREER PATHS FOR PERSONNEL.—Subsection (b) of such section is
amended—
(A) in paragraph (1), by inserting ‘‘singletracked’’ before ‘‘career path’’;
(B) by redesignating paragraphs (2) and (3)
as paragraphs (3) and (4), respectively; and
(C) by inserting after paragraph (1) the following new paragraph (2):
‘‘(2) A dual-tracked career path that attracts the highest quality officers and enlisted personnel and allows them to gain experience in, and receive credit for, a primary
career in combat arms and a functional secondary career in the acquisition field in
order to more closely align the military
operational requirements and acquisition
workforces of each armed force.’’.
(c) JOINT PROFESSIONAL MILITARY EDUCATION.—
(1) INCLUSION OF BUSINESS AND COMMERCIAL
TRAINING IN JOINT PROFESSIONAL MILITARY
EDUCATION.—Subsection (a) of section 2151 of

title 10, United States Code, is amended—
(A) by inserting ‘‘(1)’’ before ‘‘Joint professional military education’’; and
(B) by striking the second sentence and inserting the following new paragraphs:
‘‘(2) The subject matter to be covered by
joint professional military education shall
include at least the following:
‘‘(A) National Military Strategy.
‘‘(B) Joint planning at all levels of war.
‘‘(C) Joint doctrine.
‘‘(D) Joint command and control.
‘‘(E) Joint force and joint requirements development.
‘‘(F) Operational contract support.
‘‘(3) In lieu of the subject matters covered
by paragraph (2), or in supplement to one or
more of such matters, the subject matter to
be covered by joint professional military
education may include subjects addressed in
training programs under section 2013(a) of
this title by, in, or through organizations described in paragraph (2)(D) of that section.’’.
(2) SENIOR LEVEL SERVICE SCHOOLS.—Subsection (b)(1) of such section is amended by

June 2, 2015

adding at the end the following new subparagraph:
‘‘(E) A training program section 2013(a) of
this title by, in, or through an organization
described in paragraph (2)(D) of that section.’’.
APPROACH.—Section
(3)
THREE-PHASE
2154(a)(2) of such title is amended—
(A) in the matter preceding subparagraph
(A), by striking ‘‘in residence at’’;
(B) by striking subparagraph (A) and inserting the following new subparagraph (A):
‘‘(A) in residence at the Joint Forces Staff
College;’’; and
(C) in subparagraph (B), by striking ‘‘a senior level service school’’ and inserting ‘‘in
residence at a senior level service school, or
by, in, or though a senior level service school
described in section 2151(b)(1)(E) of this
title,’’.
(4) JOINT PROFESSIONAL MILITARY EDUCATION PHASE II.—Section 2155 of such title is
amended—
(A) in subsection (b)—
(i) in the subsection caption, by inserting
‘‘FOR JOINT MILITARY SUBJECTS’’ after
‘‘PHASE II REQUIREMENTS’’; and
(ii) by inserting ‘‘described in section
2151(a)(2) of this title’’ after ‘‘joint professional military education’’;
(B) in subsection (c)—
(i) in the subsection caption, by inserting
‘‘FOR JOINT MILITARY SUBJECTS’’ after ‘‘CURRICULUM CONTENT’’;
(ii) by striking ‘‘section 2151(a)’’ and inserting ‘‘section 2151(a)(2)’’; and
(iii) by inserting ‘‘described in such section’’ after ‘‘joint professional military education’’;
(C) by redesignating subsection (d) as subsection (e);
(D) by inserting after subsection (c) the
following new subsection (d):
‘‘(d) CURRICULUM CONTENT FOR BUSINESS
AND COMMERCIAL TRAINING.—The curriculum
for Phase II joint professional military education described in section 2151(a)(3) of this
title shall include such matters as the Secretary shall specify in connection with training programs described in that section in
order to satisfy requirements for successful
performance in the acquisition or acquisition-related field.’’; and
(E) in subsection (e), as redesignated by
subparagraph (C), by inserting ‘‘(other than
a service school described in section
2151(b)(1)(E) of this title)’’ after ‘‘senior level
service school’’.
(d) ACQUISITION-RELATED FUNCTIONS OF
SERVICE CHIEFS.—Section 2547 of title 10,
United States Code, is amended—
(1) in subsection (b), by striking ‘‘this subsection’’ the first place it appears and inserting ‘‘subsection (a)’’;
(2) by redesignating subsection (c) as subsection (d); and
(3) by inserting after subsection (b) the following new subsection (c):
‘‘(c) ANNUAL REPORT ON PROMOTION RATES
FOR OFFICERS IN ACQUISITION POSITIONS.—(1)
Not later than January 1 each year, the
Chief of Staff of the Army, the Chief of Naval
Operations, the Chief of Staff of the Air
Force, and the Commandant of the Marine
Corps shall each submit to Congress a report
on the promotion rates during the preceding
fiscal year of officers who are serving in, or
have served in, positions covered by chapter
87 of this title, and officers who have been
certified under that chapter, in the grades
specified in paragraph (2). If promotion rates
for any such grade of officers failed to meet
objectives for the fiscal year concerned for
promotion rates for such grade, the chief of
the armed force concerned shall include in
the report for such fiscal year information
on such failure and on the actions taken or
to be taken by such chief to prevent further
such failures.


United States Code, is amended by adding at the end the following new subsection:

"(a) AUTHORITY.—Section 1253 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(b) CONFORMING AMENDMENTS.—

(1) In section 1251 of title 10, United States Code, after 'complies' the Secretary concerned under section 14101(a) of this title;'

(2) Section 12102(b) of title 10, United States Code, is amended by striking paragraphs (1) and (2) and inserting the following new paragraphs:

"(1) that person has met the citizenship or residency requirements established in section 504(b)(1) of this title; or

"(2) that person is authorized by the Secretary concerned under section 504(b)(2) of this title.'"

SEC. 512. AUTHORITY FOR CERTAIN AIR FORCE RESERVE COMPONENT PERSONNEL TO PROVIDE TRAINING AND INSTRUCTION REGARDING PILOT INSTRUCTOR TRAINING.

(a) AUTHORITY.—

(1) IN GENERAL.—During fiscal year 2016, the Secretary of the Air Force may authorize persons described in paragraph (2) to provide training and instruction regarding pilot instructor training to the following:

(1) Members of the Armed Forces on active duty.

(b) PERSONNEL.—The personnel described in this paragraph are:

(1) Members of the reserve components of the Air Force on active Guard and Reserve duty who are not otherwise authorized to conduct the training described in paragraph (1) due to the limitations in section 10216 of title 10, United States Code.

(2) Members of the Air Force who are military technicians (dual status) who are not otherwise authorized to conduct the training described in paragraph (1) due to the limitations in section 328(b) of title 32, United States Code.

(3) LIMITATION.—The total number of personnel described in paragraph (2) who may provide training and instruction under the authority in paragraph (1) at any one time may not exceed 50.

(c) FEDERAL TURTLE CLAIMS ACT.—Members of the uniformed services described in paragraph (2) who provide training and instruction pursuant to the authority in paragraph (1) shall be covered by the Federal Tort Claims Act for purposes of any claim arising from the employment of such individuals under that authority.

(d) LIMITATION.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth a plan to eliminate pilot instructor shortages within the Air Force using authorities available to the Secretary under current law.

Subtitle C—General Service Authorities

SEC. 521. DURY REQUIRED FOR ELIGIBILITY FOR PRESEPARATION COUNSELING FOR MEMBERS BEING DISCHARGED OR RELEASED FROM ACTIVE DUTY.

(a) REQUIREMENT FOR 180 CONTINUOUS DAYS OF ACTIVITY DUTY SERVICE.—Subparagraph (A) of section 1142(a)(4) of title 10, United States Code, is amended by inserting "continuous" after "first 180".

(b) EXCLUSION OF THE PERIODS OF SERVICE FROM PERIODS OF ACTIVE DUTY.—Such section is further amended by adding at the end the following new subparagraph:

"(c) For purposes of subparagraph (A), the term 'active duty' does not include full-time training duty, annual training duty, and attendance, while in the active military service, at a school designated as a service school by law or by the Secretary of the military department concerned.''

SEC. 522. EXPANSION OF PILOT PROGRAMS ON CAREER FLEXIBILITY TO ENHANCE RETENTION OF MEMBERS OF THE ARMED FORCES.

Section 511 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (10 U.S.C. prec. 701 note) is amended by striking subsections (b) and (c).

SEC. 523. SENSE OF SENATE ON DEVELOPMENT OF GENDER-NEUTRAL OCCUPATIONAL STANDARDS FOR OCCUPATIONAL ASSIGNMENTS IN THE ARMED FORCES.

(a) FINDING.—The Senate remains interested in the integration of women into the combat arms of the Armed Forces and the development of gender-neutral occupational standards for occupational assignments in the Armed Forces.

(b) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the development of gender-neutral occupational standards for determining the occupational assignments of all members of the Armed Forces;

(2) studies being conducted by the Armed Forces are important to the development of these standards and should incorporate the best scientific practices available; and

(3) the Armed Forces should consider such studies on these standards carefully in order to ensure that—

(A) such studies do not result in unnecessary barriers to service in the Armed Forces; and

(B) all decisions on occupational assignments in the Armed Forces—

(i) are based on an objective analysis of the tasks required to perform the occupational assignment concerned; and

(ii) do not negatively impact the required combat capabilities of the Armed Forces, including units whose primary mission is to engage in direct combat at the tactical level.

Subtitle D—Member Education and Training

PART I—EDUCATIONAL ASSISTANCE REFORM

SEC. 531. LIMITATION ON TUITION ASSISTANCE FOR OFF-DUTY TRAINING OR EDUCATION.

Section 2007(a) of title 10, United States Code, is amended by inserting after "education, or training is likely to contribute to the member's professional development" after "during the member's off-duty period".

SEC. 532. TERMINATION OF PROGRAM OF EDUCATIONAL ASSISTANCE FOR SELECTIVE EARLY DISCHARGE AND EARLY DISCHARGE.

(a) FINDING.—The Secretary determines that—

(1) the development of gender-neutral occupational standards is vital in determining the occupational assignments of all members of the Armed Forces;

(2) studies being conducted by the Armed Forces are important to the development of these standards and should incorporate the best scientific practices available; and

(3) the Armed Forces should consider such studies on these standards carefully in order to ensure that—

(A) such studies do not result in unnecessary barriers to service in the Armed Forces; and

(B) all decisions on occupational assignments in the Armed Forces—

(i) are based on an objective analysis of the tasks required to perform the occupational assignment concerned; and

(ii) do not negatively impact the required combat capabilities of the Armed Forces, including units whose primary mission is to engage in direct combat at the tactical level.
SEC. 534. SENSE OF CONGRESS ON TRANSFERABILITY OF UNUSED EDUCATION BENEFITS TO FAMILY MEMBERS.

(a) IN GENERAL.—It is the sense of Congress that each Secretary concerned should—

(1) exercise the authority in section 3319(a) of title 38, United States Code, relating to the transferability of unused education benefits to family members, in a manner that encourages the retention of individuals in the Armed Forces and each year a report on the educational levels attained by members of the Armed Forces described in subsection (b) under the jurisdiction of such Secretary who separated from the Armed Forces during the preceding year.

(b) COVERED MEMBERS.—The members of the Armed Forces described in subsection (a) who transferred unused education benefits to family members pursuant to section 3319 of title 38, United States Code, while serving as members of the Armed Forces.

(c) SECRETARY CONCERNED DEFINED.—In this section, the term ‘Secretary concerned’ has the meaning given that term in section 101 of title 38, United States Code.

SEC. 535. SENSE OF CONGRESS ON TRANSFERABILITY OF UNUSED EDUCATION BENEFITS TO FAMILY MEMBERS.

(a) IN GENERAL.—It is the sense of Congress that each Secretary concerned should—

(1) exercise the authority in section 3319(a) of title 38, United States Code, relating to the transferability of unused education benefits to family members, in a manner that encourages the retention of individuals in the Armed Forces and each year a report on the educational levels attained by members of the Armed Forces described in subsection (b) under the jurisdiction of such Secretary who separated from the Armed Forces during the preceding year.

(b) DEFINITIONS.—In this section, the terms ‘Armed Forces’ and ‘Secretary concerned’ have the meaning given such terms in section 101 of title 38, United States Code.

SEC. 535. NO ENTITLEMENT TO UNEMPLOYMENT INSURANCE WHILE RECEIVING POST-911 EDUCATION ASSISTANCE.

Section 832(b) of title 5, United States Code, is amended—

(1) in paragraph (1), by striking ‘‘or’’ after the semicolon;

(2) in paragraph (2), by striking the period and inserting ‘‘; or’’; and

(3) by adding at the end the following new paragraph:  

‘‘(3) an educational assistance allowance under chapter 33 of title 38.’’.
the ability of the Department of the Army, any of its employees, or any member of the armed forces to carry out any responsibility or duty in a fair and objective manner, or compromise the ability or duty in a fair and objective manner of any program of the Department of the Army, or any individual involved in such a program.

(d) Any marks and service marks.—

(1) Licensing, marketing, and sponsorship agreements.—An agreement under subsection (a) may, consistent with section 2260 of this title (other than subsection (d) of that section), authorize the Association to enter into licensing, marketing, and sponsorship agreements relating to trademarks and service marks of the Academy, subject to the approval of the Secretary of the Army.

(2) Limitations.—No licensing, marketing, or sponsorship agreement may be entered into under paragraph (1) if—

(A) such agreement would reflect unfavorably on the ability of the Department of the Army, any of its employees, or any member of the armed forces to carry out any responsibility or duty in a fair and objective manner; and

(B) the Secretary determines that the use of the trademark or service mark would compromise the integrity or appearance of integrity of any program of the Department of the Army, or any individual involved in such a program.

(e) Retention and use of funds.—

(1) In general.—Any funds received by the Secretary under this section other than money rentals received for property leased pursuant to section 2667 of this title shall be used by the Academy for one or more of the following purposes:

(A) To benefit participating cadets.

(B) To enhance the ability of the Academy to compete against other colleges and universities.

(2) Availability of funds.—Funds described in paragraph (1) shall remain available until expended.

(f) Service on association board of directors.—The Association is a designated entity for which authorization under sections 101(a) and 1588(a) of this title may be provided.

(g) Conditions.—The authority provided in this section with respect to the Association is available only so long as the Association continues to—

(1) qualify as a nonprofit organization under section 501(c)(3) of the Internal Revenue Code of 1986 and operates in accordance with the law of the State of New York, and the constitution and bylaws of the Association; and

(2) operate exclusively to support the athletic and physical fitness programs of the Academy.

(h) Association defined.—In this section, the term ‘Association’ means the Army West Point Athletic Association.

(i) Clerical amendment.—The table of sections at the beginning of chapter 48 of such title is amended by adding at the end the following new item:

"4862. Support of athletic and physical fitness programs."

SEC. 539. ONLINE ACCESS TO THE HIGHER EDUCATION COMPONENT OF THE TRANSITION ASSISTANCE PROGRAM.

(a) Notice to program participants of availability of component online through the department of defense.—If a member of the Armed Forces, veteran, or dependent requests a certificate of eligibility from the Secretary of Veterans Affairs to prove the eligibility of the member, veteran, or dependent, as the case may be, for educational assistance under chapter 33 of title 38, United States Code, the Secretary shall notify the member, veteran, or dependent of the availability of the higher education component of the Transition Assistance Program (TAP) of the Department of Defense, and in the case of the veteran (the veteran is so represented) of the following:

(A) Any charges and specifications related to the offense.

(B) Any statement by the victim in connection with the offense that is in the possession of the government.

(C) Any portions relating to the victim in any report of an investigation of the offense that is in the possession of the government.

(F) In the event the staff judge advocate advises pursuant to section 831 of this title (article 31) that any charge or specification in connection with the offense not be referred for trial, the advice making such recommendation, with such advice to be so provided before the convening authority acts on the advice.

SEC. 540. MODIFICATION OF RULE 394 OF THE MILITARY RULES OF EVIDENCE RELATING TO THE CORROBORATION OF A CONFESSION OR ADMISSION.

Not later than 180 days after the date of the enactment of this Act, Rule 304(c) of the Military Rules of Evidence shall be modified as follows:

(1) To provide that an admission or a confession of the accused may be considered as evidence against the accused on the question of guilt or innocence only if independent evidence, either direct or circumstantial, has been admitted into evidence which would tend to establish the truthfulness of the admission or confession.

(2) To provide that not every element or fact contained in the admission or confession must be independently proven for the admission or confession to be admitted into evidence in its entirety.

(3) To strike the rule that if independent evidence raises an inference of the truth of some but not all of the essential facts admitted, the confession or admission may be considered as evidence against the accused with respect to those essential facts stated in the confession or admission that are corroborated by the independent evidence.

SEC. 541. MODIFICATION OF RULE 104 OF THE RULES FOR COURTS-MARTIAL TO ESTABLISH CERTAIN PROHIBITIONS CONCERNING EVALUATIONS OF SPECIAL VICTIMS’ COUNSEL.

(a) Notice to program participants of availability of component online through the department of defense.—If a member of the Armed Forces, veteran, or dependent requests a certificate of eligibility from the Secretary of Veterans Affairs to prove the eligibility of the member, veteran, or dependent, as the case may be, for educational assistance under chapter 33 of title 38, United States Code, the Secretary shall notify the member, veteran, or dependent of the availability of the higher education component of the Transition Assistance Program (TAP) of the Department of Defense, and in the case of the veteran (the veteran is so represented) of the following:

(A) Any charges and specifications related to the offense.

(B) Any statement by the victim in connection with the offense that is in the possession of the government.

(C) Any portions relating to the victim in any report of an investigation of the offense that is in the possession of the government.

(F) In the event the staff judge advocate advises pursuant to section 831 of this title (article 31) that any charge or specification in connection with the offense not be referred for trial, the advice making such recommendation, with such advice to be so provided before the convening authority acts on the advice.

SEC. 543. MODIFICATION OF RULE 394 OF THE MILITARY RULES OF EVIDENCE RELATING TO THE CORROBORATION OF A CONFESSION OR ADMISSION.

Not later than 180 days after the date of the enactment of this Act, Rule 304(c) of the Military Rules of Evidence shall be modified as follows:

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(2) To provide that not every element or fact contained in the admission or confession must be independently proven for the admission or confession to be admitted into evidence in its entirety.

(3) To strike the rule that if independent evidence raises an inference of the truth of some but not all of the essential facts admitted, the confession or admission may be considered as evidence against the accused with respect to those essential facts stated in the confession or admission that are corroborated by the independent evidence.

SEC. 544. MODIFICATION OF RULE 104 OF THE RULES FOR COURTS-MARTIAL TO ESTABLISH CERTAIN PROHIBITIONS CONCERNING EVALUATIONS OF SPECIAL VICTIMS’ COUNSEL.

Not later than 180 days after the date of the enactment of this Act, Rule 104(b) of the Rules for Courts-Martial shall be modified to provide that the prohibitions concerning evaluations established by that rule shall apply to the evaluation of a complainant’s counsel by the special victims counsel if the special victims’ counsel is the counsel for the victim, the victim being a special victims’ counsel because of the zeal with which such counsel represented a victim.

SEC. 545. MODIFICATION OF RULE 104 OF THE RULES FOR COURTS-MARTIAL TO ESTABLISH CERTAIN PROHIBITIONS CONCERNING EVALUATIONS OF SPECIAL VICTIMS’ COUNSEL.

Not later than 180 days after the date of the enactment of this Act, Rule 104(b) of the Rules for Courts-Martial shall be modified to provide that the prohibitions concerning evaluations established by that rule shall apply to the evaluation of a complainant’s counsel by the special victims counsel if the special victims’ counsel is the counsel for the victim, the victim being a special victims’ counsel because of the zeal with which such counsel represented a victim.

SEC. 546. MODIFICATION OF RULE 104 OF THE RULES FOR COURTS-MARTIAL TO ESTABLISH CERTAIN PROHIBITIONS CONCERNING EVALUATIONS OF SPECIAL VICTIMS’ COUNSEL.

Not later than 180 days after the date of the enactment of this Act, Rule 104(b) of the Rules for Courts-Martial shall be modified to provide that the prohibitions concerning evaluations established by that rule shall apply to the evaluation of a complainant’s counsel by the special victims counsel if the special victims’ counsel is the counsel for the victim, the victim being a special victims’ counsel because of the zeal with which such counsel represented a victim.

SEC. 547. MODIFICATION OF RULE 104 OF THE RULES FOR COURTS-MARTIAL TO ESTABLISH CERTAIN PROHIBITIONS CONCERNING EVALUATIONS OF SPECIAL VICTIMS’ COUNSEL.

Not later than 180 days after the date of the enactment of this Act, Rule 104(b) of the Rules for Courts-Martial shall be modified to provide that the prohibitions concerning evaluations established by that rule shall apply to the evaluation of a complainant’s counsel by the special victims counsel if the special victims’ counsel is the counsel for the victim, the victim being a special victims’ counsel because of the zeal with which such counsel represented a victim.

SEC. 548. MODIFICATION OF RULE 104 OF THE RULES FOR COURTS-MARTIAL TO ESTABLISH CERTAIN PROHIBITIONS CONCERNING EVALUATIONS OF SPECIAL VICTIMS’ COUNSEL.

Not later than 180 days after the date of the enactment of this Act, Rule 104(b) of the Rules for Courts-Martial shall be modified to provide that the prohibitions concerning evaluations established by that rule shall apply to the evaluation of a complainant’s counsel by the special victims counsel if the special victims’ counsel is the counsel for the victim, the victim being a special victims’ counsel because of the zeal with which such counsel represented a victim.

SEC. 549. MODIFICATION OF RULE 104 OF THE RULES FOR COURTS-MARTIAL TO ESTABLISH CERTAIN PROHIBITIONS CONCERNING EVALUATIONS OF SPECIAL VICTIMS’ COUNSEL.

Not later than 180 days after the date of the enactment of this Act, Rule 104(b) of the Rules for Courts-Martial shall be modified to provide that the prohibitions concerning evaluations established by that rule shall apply to the evaluation of a complainant’s counsel by the special victims counsel if the special victims’ counsel is the counsel for the victim, the victim being a special victims’ counsel because of the zeal with which such counsel represented a victim.

SEC. 550. MODIFICATION OF RULE 104 OF THE RULES FOR COURTS-MARTIAL TO ESTABLISH CERTAIN PROHIBITIONS CONCERNING EVALUATIONS OF SPECIAL VICTIMS’ COUNSEL.

Not later than 180 days after the date of the enactment of this Act, Rule 104(b) of the Rules for Courts-Martial shall be modified to provide that the prohibitions concerning evaluations established by that rule shall apply to the evaluation of a complainant’s counsel by the special victims counsel if the special victims’ counsel is the counsel for the victim, the victim being a special victims’ counsel because of the zeal with which such counsel represented a victim.
SEC. 550. RELEASE TO VICTIMS UPON REQUEST OF COMPLETE RECORD OF PROCEEDINGS AND TESTIMONY OF CONVICTED PERSONS IN CASES IN WHICH SENTENCES ADJUDGED CONVICTION INCLUDE PUNITIVE DISCHARGE.

(a) In General.—Section 854(e) of title 10, United States Code (article 54(e) of the Uniform Code of Military Justice), is amended—

(1) by inserting “(1)” after “(e)”; and

(2) in paragraph (1), as so designated, by inserting “or the victim requests such records” before the period at the end of the first sentence; and

(b) Effective Date.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act, and shall apply with respect to court-martial first convened on or after that date.

SEC. 551. REPRESENTATION AND ASSISTANCE OF VICTIMS BY SPECIAL VICTIMS’ COUNSEL IN QUESTIONING BY MILITARY CRIMINAL INVESTIGATORS.

(a) In General.—Section 1044e(f) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(3) Records given to a victim under this subsection at the request of the victim in a case where the court-martial concerned resulted in a sentence as adjudged could include restrictions on release or use of such records or information in such records in order to protect the privacy or other interests of the accused.”

(b) Effective Date.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act, and shall apply with respect to court-martial first convened on or after that date.

SEC. 552. AUTHORITY OF SPECIAL VICTIMS’ COUNSEL TO PROVIDE LEGAL CONSULTATION AND ASSISTANCE IN CONNECTION WITH VARIOUS GOVERNMENTAL PROCEEDINGS.

Section 1044(e)(8) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(9) Legal consultation and assistance in connection with—

“(A) any complaint against the Government, including an allegation under review by an inspector general or inspector with respect to equal employment opportunity issues;

“(B) any request to the Government for information, including a request under section 625 of the Freedom of Information Act (with the term ‘Freedom of Information Act request’); and

“(C) any correspondence or other communications with Congress.”

SEC. 553. ENHANCEMENT OF CONFIDENTIALITY OF RESTRICTED REPORTING OF SEXUAL ASSAULT IN THE MILITARY.

(a) PREEMPTION OF STATE LAW TO ENSURE CONFIDENTIALITY.—Section 8545b of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(b) Records given to a victim under this subsection at the request of the victim in a case where the court-martial concerned resulted in a sentence as adjudged could include restrictions on release or use of such records or information in such records in order to protect the privacy or other interests of the accused.”

(b) Effective Date.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act, and shall apply with respect to court-martial first convened on or after that date.

SEC. 554. ESTABLISHMENT OF OFFICE OF COMPLEX INVESTIGATIONS WITHIN THE NATIONAL GUARD BUREAU.

(a) In General.—Section 10509 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 10509. Office of Complex Investigations

“(a) Establishment.—There is in the National Guard Bureau an Office of Complex Investigations (in this section referred to as the ‘Office’) to conduct investigations in the prevention and response to sexual assault.

“(b) Responsibilities.—(1) The Office shall—

“(A) develop, coordinate, and conduct investigations into complex sexual assault involving the National Guard;

“(B) provide technical and investigative support to sexual assault investigations conducted by the Office or other agencies or organizations;

“(C) work in consultation with the Department of Defense and other Federal agencies to ensure coordination of efforts related to sexual assault investigations.

“(2) The Office shall—

“(A) develop and implement policies and procedures for the prevention and response to sexual assault;

“(B) provide technical and investigative support to sexual assault investigations conducted by the Office or other agencies or organizations;

“(C) work in consultation with the Department of Defense and other Federal agencies to ensure coordination of efforts related to sexual assault investigations.

“(3) The Office shall—

“(A) coordinate with the Department of Defense and other Federal agencies to ensure coordination of efforts related to sexual assault investigations;

“(B) develop and implement policies and procedures for the prevention and response to sexual assault;

“(C) provide technical and investigative support to sexual assault investigations conducted by the Office or other agencies or organizations;

“(D) work in consultation with the Department of Defense and other Federal agencies to ensure coordination of efforts related to sexual assault investigations.

“(4) The Office shall—

“(A) coordinate with the Department of Defense and other Federal agencies to ensure coordination of efforts related to sexual assault investigations;

“(B) develop and implement policies and procedures for the prevention and response to sexual assault;

“(C) provide technical and investigative support to sexual assault investigations conducted by the Office or other agencies or organizations;

“(D) work in consultation with the Department of Defense and other Federal agencies to ensure coordination of efforts related to sexual assault investigations.

“(5) The Office shall—

“(A) coordinate with the Department of Defense and other Federal agencies to ensure coordination of efforts related to sexual assault investigations;

“(B) develop and implement policies and procedures for the prevention and response to sexual assault;

“(C) provide technical and investigative support to sexual assault investigations conducted by the Office or other agencies or organizations;

“(D) work in consultation with the Department of Defense and other Federal agencies to ensure coordination of efforts related to sexual assault investigations.

“(6) The Office shall—

“(A) coordinate with the Department of Defense and other Federal agencies to ensure coordination of efforts related to sexual assault investigations;

“(B) develop and implement policies and procedures for the prevention and response to sexual assault;

“(C) provide technical and investigative support to sexual assault investigations conducted by the Office or other agencies or organizations;

“(D) work in consultation with the Department of Defense and other Federal agencies to ensure coordination of efforts related to sexual assault investigations.

“(7) The Office shall—

“(A) coordinate with the Department of Defense and other Federal agencies to ensure coordination of efforts related to sexual assault investigations;

“(B) develop and implement policies and procedures for the prevention and response to sexual assault;

“(C) provide technical and investigative support to sexual assault investigations conducted by the Office or other agencies or organizations;

“(D) work in consultation with the Department of Defense and other Federal agencies to ensure coordination of efforts related to sexual assault investigations.

“(8) The Office shall—

“(A) coordinate with the Department of Defense and other Federal agencies to ensure coordination of efforts related to sexual assault investigations;

“(B) develop and implement policies and procedures for the prevention and response to sexual assault;

“(C) provide technical and investigative support to sexual assault investigations conducted by the Office or other agencies or organizations;

“(D) work in consultation with the Department of Defense and other Federal agencies to ensure coordination of efforts related to sexual assault investigations.

“(9) The Office shall—

“(A) coordinate with the Department of Defense and other Federal agencies to ensure coordination of efforts related to sexual assault investigations;

“(B) develop and implement policies and procedures for the prevention and response to sexual assault;

“(C) provide technical and investigative support to sexual assault investigations conducted by the Office or other agencies or organizations;

“(D) work in consultation with the Department of Defense and other Federal agencies to ensure coordination of efforts related to sexual assault investigations.

“(10) The Office shall—

“(A) coordinate with the Department of Defense and other Federal agencies to ensure coordination of efforts related to sexual assault investigations;

“(B) develop and implement policies and procedures for the prevention and response to sexual assault;

“(C) provide technical and investigative support to sexual assault investigations conducted by the Office or other agencies or organizations;

“(D) work in consultation with the Department of Defense and other Federal agencies to ensure coordination of efforts related to sexual assault investigations.

“(11) The Office shall—

“(A) coordinate with the Department of Defense and other Federal agencies to ensure coordination of efforts related to sexual assault investigations;

“(B) develop and implement policies and procedures for the prevention and response to sexual assault;

“(C) provide technical and investigative support to sexual assault investigations conducted by the Office or other agencies or organizations;

“(D) work in consultation with the Department of Defense and other Federal agencies to ensure coordination of efforts related to sexual assault investigations.

“(12) The Office shall—

“(A) coordinate with the Department of Defense and other Federal agencies to ensure coordination of efforts related to sexual assault investigations;

“(B) develop and implement policies and procedures for the prevention and response to sexual assault;

“(C) provide technical and investigative support to sexual assault investigations conducted by the Office or other agencies or organizations;

“(D) work in consultation with the Department of Defense and other Federal agencies to ensure coordination of efforts related to sexual assault investigations.

“(e) Office of Complex Investigations.—The Office of Complex Investigations shall—

“(1) have in place policies and programs to prevent and respond to incidents of sexual assault involving members of the Army National Guard or the Army Reserve, as applicable;

“(2) provide medical and mental health care services to members of the Army National Guard or the Army Reserve, as applicable, following a sexual assault; and

“(3) have identified whether the nature of the service in the Army National Guard or the Army Reserve, as applicable, poses challenges to the prevention of or response to sexual assault.

“(f) Additional Reports.—If a report submitted under this section poses challenges to the prevention of or response to sexual assault, the report shall include additional findings and recommendations.”

(b) Effective Date.—The amendments made by this section shall take effect on the date of the enactment of this Act.

SEC. 555. MODIFICATION OF DEADLINE FOR ESTABLISHMENT OF DEFENSE ADVISORY COMMITTEE ON INVESTIGATION, PROSECUTION, AND DEFENSE OF SEXUAL ASSAULT IN THE ARMED FORCES.

Section 566(a)(2) of the Carl Levin and Howard P. ‘‘Buck’’ McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3374; 10 U.S.C. 1561 note) is amended by striking ‘‘not later than’’ and all that follows and inserting ‘‘not later than 90 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016.’’

SEC. 556. COMPTROLLER GENERAL OF THE UNITED STATES REPORTS ON PREVENTION AND RESPONSE TO SEXUAL ASSAULT IN THE ARMY NATIONAL GUARD AND THE ARMY RESERVE.

(a) Initial Report.—Not later than April 1, 2016, the Comptroller General of the United States shall submit to Congress a report on the preliminary assessment of the Comptroller General (made pursuant to a review conducted by the Comptroller General for purposes of this section) of the extent to which the Army National Guard and the Army Reserve—

(1) have in place policies and programs to prevent and respond to incidents of sexual assault involving members of the Army National Guard or the Army Reserve, as applicable;

(2) provide medical and mental health care services to members of the Army National Guard or the Army Reserve, as applicable, following a sexual assault; and

(3) have identified whether the nature of the service in the Army National Guard or the Army Reserve, as applicable, poses challenges to the prevention of or response to sexual assault.

(b) Additional Reports.—If—

(1) after submitting the report required by this section the Comptroller General makes additional assessments as a result of the review described in that subsection, the Comptroller General shall submit to Congress such reports on such additional assessments as the Comptroller General considers appropriate.

SEC. 557.SENSE OF CONGRESS ON THE SERVICE OF MILITARY FAMILIES AND ON SENTENCING RETIREMENT-ELIGIBLE MEMBERS OF THE ARMED FORCES.

(a) Findings.—Congress makes the following findings:

(1) Military families serve alongside their member of the Armed Forces, enduring hardships, lending support, and contributing to the member’s career. These family members endure frequent moves, long periods of separation, and other unique hardships associated with military life.

(2) Innocent family members are sometimes inadvertently punished when the member they depend on forfeits retirement benefits or loses the security of benefits they had planned for and helped earn.
(4) Military juries may choose to impose unjustly light sentences on convicted members out of concern for the innocent family members when a just sentence would require stripping the member of retirement eligibility.

(b) SENATE OF CONGRESS.—It is the sense of Congress—

(1) that military juries should not face the difficult choice between imposing a fair sentence or protecting the benefits of a member of the Armed Forces for the sake of innocent family members;

(2) that innocent military family members of retirement-eligible members should not be made to forgo benefits they have sacrificed for and earned to help earn.

(3) to welcome the opportunity to work with the Department of Defense to develop the necessary laws and regulations to improve the military justice system to better protect the benefits that military families have earned.

Subtitle F—Defense Dependents Education and Military Family Readiness

§ 561. CONTINUATION OF AUTHORITY TO ASIST LOCAL EDUCATIONAL AGENCIES IN THE FUNDING OF DEFENSE DEPENDENTS' SCHOOLS

In this section, the term ‘‘local educational agency’’ has the meaning given that term in section 801(9) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7171(9)).

§ 562. IMPACT AID FOR CHILDREN WITH SEVERE DISABILITIES

Of the amount authorized to be appropriated in fiscal year 2016 pursuant to section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 1301, $5,000,000 shall be available for assistance to local educational agencies under subsection (a) of section 572 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 20 U.S.C. 7703b).

§ 563. AUTHORITY TO USE APPROPRIATED FUNDS TO SUPPORT DEPARTMENT OF DEFENSE STUDENT MEAL PROGRAMS IN DOMESTIC DEPENDENT ELEMENTARY AND SECONDARY SCHOOLS LOCATED OUTSIDE THE UNITED STATES

(a) AUTHORITY.—Section 2243 of title 10, United States Code, is amended—

(1) in subsection (a)(2), by striking '‘the defense dependents’ education system’’ and inserting ‘‘the Defense Dependents’ schools’’;

(2) in subsection (d), by striking ‘‘students enrolled in such system’’ and inserting ‘‘students enrolled in such a school’’;

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

(e) OVERSEAS DEFENSE DEPENDENTS’ SCHOOLS.—In this section, the term ‘‘overseas defense dependents’ school’’ means the following:

(1) A school established as part of the defense dependents’ education system provided for under the Defense Dependents’ Education Act of 1978 (20 U.S.C. 921 et seq.).

(2) An elementary or secondary school established pursuant to section 2164 of this title that is located in a territory, commonwealth, or possession of the United States.

§ 564. BIENNIAL SURVEYS OF MILITARY DEPENDENTS ON MILITARY FAMILY READINESS MATTERS

(a) BIENNIAL SURVEYS REQUIRED.—The Director of the Office of Family Policy of the Department of Defense shall undertake every other year a survey of adult dependents of members of the Armed Forces on the matters specified in subsection (b). Participation by dependents in the survey shall be voluntary.

(b) MATTERS.—The matters specified in this subsection are the following:

(1) Mental health of dependents of members of the Armed Forces.

(2) Incidence of sexual assault and suicidal ideation among dependents of members of the Armed Forces.

(3) Incidence of divorce among dependents of members of the Armed Forces.

(4) Incidence of spousal abuse, child abuse, sexual assault, and harassment among dependents of members of the Armed Forces.

(5) Financial health and financial literacy of military families.

(6) Employment and education of dependents of members of the Armed Forces.

(7) Adequacy and quality of child care for dependents of members of the Armed Forces.

(8) Quality of programs for military families.

(9) Such other matters relating to military family readiness as the Director considers appropriate.

Subtitle G—Miscellaneous Reporting Requirements

§ 571. EXTENSION OF SEMIANNUAL REPORTS ON THE INVOLUNTARY SEPARATION OF MEMBERS OF THE ARMED FORCES

Section 525(a) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 113–237; 128 Stat. 1700) is amended by striking ‘‘calendar years 2013 and 2014’’ and ‘‘each of calendar years 2013 through 2017’’.

§ 572. REMOTELY PILOTED AIRCRAFT CA REER FIELD MANNING SHORTFALLS

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for operation and maintenance for the Office of the Secretary of the Air Force, not more than 85 percent may be obligated or expended until a period of 15 days has elapsed following the date on which the Secretary of the Air Force submits to the congressional defense committees the report described in subsection (b).

(b) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Secretary of the Air Force shall submit to the congressional defense committees a report on remotely piloted aircraft career field manning levels and actions the Air Force will take to rectify personnel shortfalls.

(2) ELEMENTS.—The report required under paragraph (1) shall include the following elements:

(A) A description of current and projected manning requirements and inventory levels for remotely piloted aircraft systems.

(B) A description of rated and non-rated officer and enlisted personnel policies for authorization and inventory levels in effect for remotely piloted aircraft systems and units, to include whether remotely piloted aircraft duty is considered as ‘‘Air Force Specialty Code or treated as an ancillary single assignment duty, and if both are used, the division of authorizations between personnel assigned permanently to those who will return to a different primary career field.

(C) Comparisons to other Air Force manned combat aircraft systems and units with respect to personnel policies, manpower authorization levels, and projected personnel inventory.

(D) Identification and assessment of mitigation actions to increase unit manning levels, including recruitment and retention bonuses, incentive pay, use of enlisted personnel, and increased weighting to remotely piloted aircraft personnel on promotion boards, and to ensure the school house for remotely piloted aircraft personnel is sufficient to meet increased manning demands.

(E) Analysis demonstrating the requirements determination for how remotely piloted aircraft pilot and sensor operators are selected, including whether individuals are prior rated or non-rated qualified, what pre-requisite training or experience is necessary, and the types of advanced qualification training for each mission design series of remotely piloted aircraft in the Air Force inventory.

(F) Recommendations for changes to existing legislation required to implement mitigation actions.

§ 573. ASSESSMENT OF THE AUTHORIZATION LEVELS FOR THE COMPETENCY AND GOVERNMENT Civilian AND CONTRACTOR SUPPORT TO REMOTELY PILOTED AIRCRAFT CAREER FIELDS

(A) AUTHORIZATION.—The report required under paragraph (1) may be submitted in classified form, but shall also contain an unclassified executive summary and may contain an unclassified annex.

(B) NONDUPLICATION OF EFFORT.—If any information required under paragraph (1) has been included in another report or notification previously submitted to Congress by the Secretary of the Air Force may provide a list of such reports and notifications at the time of submitting the report required under this subsection of including such information in the report.

Subtitle H—Other Matters

PART I—FINANCIAL LITERACY AND PREPAREDNESS OF MEMBERS OF THE ARMED FORCES

§ 581. IMPROVEMENT OF FINANCIAL LITERACY AND PREPAREDNESS OF MEMBERS OF THE ARMED FORCES

(a) IN GENERAL.—Section 992 of title 10, United States Code, is amended—

(1) in subsection (a)—

(1) in subsection heading, by striking ‘‘CONSUMER EDUCATION’’ and inserting ‘‘FINANCIAL LITERACY TRAINING’’;

(2) in paragraph (1), by striking ‘‘educational training’’ and substituting ‘‘financial literacy training’’;
Section is amended to read as follows:

"992. Financial literacy training: financial services.

(1) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 50 of such title is amended by striking the item related to section 992 and inserting the following new item:

"992. Financial literacy training: financial services."

SEC. 582. FINANCIAL LITERACY TRAINING WITH RESPECT TO CERTAIN FINANCIAL SERVICES FOR MEMBERS OF THE ARMED FORCES.

(a) IN GENERAL.—The Secretary concerned shall provide the financial literacy training under section 992 of title 10, United States Code, for the financial services described in paragraph (4) of such section (as amended and added by section 581 of this Act) to members of the uniformed services under the jurisdiction of such Secretary commencing not later than six months after the date of enactment of this Act.

(b) DEFINITIONS.—In this section, the terms "uniformed services" and "Secretary concerned" have the meaning given such terms in section 101(a) of title 10, United States Code.

SEC. 583. SENSE OF CONGRESS ON FINANCIAL LITERACY AND PREPAREDNESS OF MEMBERS OF THE ARMED FORCES.

It is the sense of Congress that—

(1) such training to prepare members of the uniformed services on an installment basis, and to prepare reports, in support of this section, the term 'eligible individual' means a member of a reserve component, a member of their family, or a designated representative who the Secretary of Defense determines to be eligible for the Yellow Ribbon Reintegration Program, and shall be responsible for coordinating with State National Guard and Reserve organizations, including existing family and support programs.

(a) SCOPE AND PURPOSE.—Section 582 of the National Defense Authorization Act for Fiscal Year 2008 (10 U.S.C. 10101 note) is amended by inserting "Air Force Reserve" and inserting "Air Force Reserve and Coast Guard Reserve".

(b) ELIGIBILITY.—Such section is further amended—

(1) in subsection (a), by striking "combat veteran"; and

(2) in subsection (b), by striking "informational events and activities" and inserting "information, events, and activities".

(c) CONFORMING AND CLERICAL AMENDMENTS.—Subsection (4) of such section is further amended—

(1) in subsection (a), by striking "National Guard and Reserve members and their families" and inserting "eligible individuals"; and

(2) in subsection (b), by striking "members of the reserve components of the Armed Forces, their families," and inserting "eligible individuals";

(3) in subsection (d)(2)(C), by striking "members of the Armed Forces and their families" and inserting "eligible individuals";

(4) in subsection (h), in the matter preceding paragraph (1)—

(A) by striking "members of the Armed Forces and their families" and inserting "eligible individuals"; and

(B) by striking "such members and their family members" and inserting "such eligible individuals";

(5) in subsection (j), by striking "members of the Armed Forces and their families" and inserting "eligible individuals";

(6) in subsection (k), by striking "individual members of the Armed Forces and their families" and inserting "eligible individuals"; and

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

"(1) ELIGIBLE INDIVIDUALS.—For the purposes of this section, the term 'eligible individual' means a member of a reserve component, a member of their family, or a designated representative who the Secretary of Defense determines to be eligible for the Yellow Ribbon Reintegration Program, and shall be responsible for coordinating with State National Guard and Reserve organizations, including existing family and support programs.

"(5) PARTNERSHIPS TO PROVIDE QUALITY OF LIFE SERVICES.—Paragraph (1)(B) of such section is amended by striking "substance abuse, mental health treatment services" and insert "substance abuse, mental health treatment, and other quality of life services".

"(3) GRANTS.—Such subsection is further amended by adding at the end the following new paragraph:

"(3) GRANTS.—The Office for Reintegration Programs may make grants to conduct data collection, trend analysis, and curriculum development, and to prepare reports, in support of activities under this section.

"(4) COORDINATION WITH COAST GUARD REINTEGRATION PROGRAM.—Paragraph (4) of such section is further amended—

(1) in subsection (d)(1)(A), by striking "and Air Force Reserve" and inserting "Air Force Reserve and Coast Guard Reserve"; and

(2) in subsection (e), by striking "and Air Force Reserve" and inserting "Air Force Reserve, and Coast Guard Reserve
title is amended by adding at the end the following new item:

"1015. Recordation of installment payment obligations for incentive pays and similar benefits.

SEC. 588. ENHANCEMENTS TO YELLOW RIBBON REINTEGRATION PROGRAM.

(a) SCOPE AND PURPOSE.—Section 582 of the National Defense Authorization Act for Fiscal Year 2008 (10 U.S.C. 10101 note) is amended—

(1) in subsection (a), by striking "combat veteran"; and

(2) in subsection (b), by striking "informational events and activities" and inserting "information, events, and activities".

(b) ELIGIBILITY.—Such section is further amended—

(1) in subsection (a), by striking "National Guard and Reserve members and their families" and inserting "eligible individuals"; and

(2) in subsection (b), by striking "members of the reserve components of the Armed Forces, their families," and inserting "eligible individuals";

(3) in subsection (d)(2)(C), by striking "members of the Armed Forces and their families" and inserting "eligible individuals";

(4) in subsection (h), in the matter preceding paragraph (1)—

(A) by striking "members of the Armed Forces and their families" and inserting "eligible individuals"; and

(B) by striking "such members and their family members" and inserting "such eligible individuals";

(5) in subsection (j), by striking "members of the Armed Forces and their families" and inserting "eligible individuals";

(6) in subsection (k), by striking "individual members of the Armed Forces and their families" and inserting "eligible individuals"; and

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

"(1) ELIGIBLE INDIVIDUALS.—For the purposes of this section, the term 'eligible individual' means a member of a reserve component, a member of their family, or a designated representative who the Secretary of Defense determines to be eligible for the Yellow Ribbon Reintegration Program, and shall be responsible for coordinating with State National Guard and Reserve organizations, including existing family and support programs.

"(5) PARTNERSHIPS TO PROVIDE QUALITY OF LIFE SERVICES.—Paragraph (1)(B) of such section is amended by striking "substance abuse, mental health treatment services" and insert "substance abuse, mental health treatment, and other quality of life services".

"(3) GRANTS.—Such subsection is further amended by adding at the end the following new paragraph:

"(3) GRANTS.—The Office for Reintegration Programs may make grants to conduct data collection, trend analysis, and curriculum development, and to prepare reports, in support of activities under this section.

"(4) COORDINATION WITH COAST GUARD REINTEGRATION PROGRAM.—Paragraph (4) of such section is further amended—

(1) in subsection (d)(1)(A), by striking "and Air Force Reserve" and inserting "Air Force Reserve and Coast Guard Reserve"; and

(2) in subsection (e), by striking "and Air Force Reserve" and inserting "Air Force Reserve, and Coast Guard Reserve
title is amended by adding at the end the following new item:

"1015. Recordation of installment payment obligations for incentive pays and similar benefits.
and information;’’.

(b) DEPLOYMENT.—During such a period, the implementation of this Act to members who undergo mobilization, activation, or deployment, or who are benefits they are entitled to opportunities; and families, friends, and communities; and well-being of eligible individuals before, during, and after periods of activation, mobilization, or deployment.

(2) Technical Amendments.—Such section is further amended by inserting after subsection (h) the following new subsection:

‘‘(i) SUPPORT OF SUICIDE PREVENTION EFFORTS.—Such section is further amended by inserting after subsection (f) a new subsection—

‘‘(v) providing a forum for addressing negative behaviors related to operational stress and well-being through the 4 phases’’.

(c) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the Congress a report on the implementation of the requirements of this section. The report shall set forth—

(1) the memorandum of understanding required pursuant to subsection (b).

(2) A description of the number of individuals with OIS activations, the number of individuals who have been issued, a Transportation Worker Identification Credential pursuant to the memorandum of understanding as of the date of the enactment of this Act.

(3) If any applications for a Transportation Worker Identification Credential covered by paragraph (2) were not reviewed and adjudicated within the deadline specified in subsection (a), a description of the reasons for the failure and of the actions being taken to prevent that future application for a Credential are reviewed and adjudicated within the deadline.

SEC. 590. ISSUANCE OF RECOGNITION OF SERVICE ID CARDS FOR MEMBERS SEPARATING FROM THE ARMED FORCES.

(a) Issuance Required.—

(1) In General.—The Secretary of Defense shall issue to each covered individual a card that identifies such individual as a veteran who has served on active duty for a period of not less than 180 days and the name of the individual.

(2) Designation.—A card issued under paragraph (1) may be known as a ‘‘Recognition of Service ID Card’’.

(b) Covered Individuals.—For purposes of this section, a ‘‘covered individual’’ is an individual who is undergoing discharge or release from the Armed Forces (other than as the result of a punitive discharge adjudged as part of a sentence at a court-martial after the effective date of this section) on or after the effective date provided for in subsection (e).

(c) Collection of Amounts.—

(1) In General.—The Secretary may collect from civilians, employee of the Department of Defense and contractor personnel of the Department who are issued a replacement card for a lost or stolen card under subsection (a), a portion of the costs of cards without the assignment of additional personnel for that purpose.

(2) Treatment of Funds.—The Secretary shall deposit amounts collected under this subsection to the account or accounts providing funds for the issuance of cards under subsection (a).

(d) Recognition of Service ID Cards for Reduced Prices of Services, Consumer Products, and Pharmaceuticals.—The Secretary of Defense may work with national retail chains that offer reduced prices on services, consumer products, and pharmaceuticals to veterans and the federal government for covered individuals.

SEC. 591. RECOGNITION OF SERVICE ID CARDS FOR MILITARY SERVICES.

(a) Establishment of Policy.—It is the policy of the United States that the Secretary of Defense shall minimize and reduce, to the maximum extent practicable, the number of uniformed military personnel providing network services to military installations within the United States.

(b) Prohibition.—Except as provided in subsection (c), each military service shall be prohibited from using military personnel to provide network services to military installations within the United States 2 years after the date of the enactment of this Act.

(c) Exception.—Nothing in subsection (b) shall be construed as prohibiting the use of military personnel providing network services in support of combat operations, special operations, the intelligence community, or the United States Cyber Command, including training for combat operations.

(d) Waiver.—The Secretary of Defense or the Chief Information Officer may waive the prohibition in subsection (b) if necessary for the safety of human life, the protection of property, or providing network services in support of a combat operation.
S3488

CONGRESSIONAL RECORD — SENATE

June 2, 2015

(e) REPORT.—

(1) IN GENERAL.—Not later than March 30, 2016, the Chief Information Officer shall submit to the congressional defense committees a plan for the transition of the current performance of network services from military personnel to other means.

(2) ELEMENTS.—The report required under paragraph (1) shall include the following elements:

(A) An assessment of the costs of using military personnel versus other means to provide network services for the military services.

(B) An estimate of the savings of transitioning the current performance of network services from military personnel to other means.

(C) An estimate of the number of military personnel that could be reallocated for military-unique missions.

(f) VALIDATION OF COST AND SAVINGS ESTIMATES.—The report required under subsection (e) shall be validated by the Director of Cost Assessment and Program Evaluation.

Title VI—Compensation and Other Personnel Benefits

Subtitle A—Pay and Allowances

Sec. 601. Fiscal Year 2016 Increase in Military Basic Pay.

(a) Waiver of Section 1009 Adjustment.—The amendment made by subsection (a) shall take effect on January 1, 2016.

(b) Effective Date.—The amendment made by subsection (a) shall take effect on January 1, 2016.

Sec. 602. Modification of Percentage of National Average Monthly Cost of Housing Usable in Computation of Basic Allowance for Housing Inside the United States.

(a) Modification of Percentage Usable.—Section 430(b)(3)(B) of title 37, United States Code, is amended by striking “one percent” and inserting “five percent”.

(b) Effective Date.—The amendment made by subsection (a) shall take effect on January 1, 2016, and shall apply with respect to computations of monthly amounts of basic allowance for housing inside the United States that occur for years beginning on or after that date.

Sec. 603. Extension of Authority to Provide Temporary Increase in Rates of Basic Allowance for Housing Outside the United States.

Section 403(b)(7)(E) of title 37, United States Code, is amended by striking “December 31, 2015” and inserting “December 31, 2016”.

(b) Effective Date.—The amendment made by subsection (a) shall take effect on January 1, 2016.

Sec. 606. Limitation on Eligibility for Supplemental Residence Allowances to Members Serving Outside the United States and Associated Territories.

Section 402(a) of title 37, United States Code, is amended—

(1) in paragraph (1), by inserting “and” after “other member” and inserting “and” after “entitled to receive”;

(2) by adding at the end the following new paragraph:

“(4) After September 30, 2016, a member is eligible for a supplemental residence allowance under this section only if the member is serving outside the United States, the Commonwealth of Puerto Rico, the United States Virgin Islands or Guam.”

Sec. 607. Availability of Information.

In administering the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), the Secretary of Agriculture shall ensure that any safeguards that prevent the use or disclosure of information obtained from applicant households shall not prevent the use of that information for any other purpose for which the disclosure of that information to, the Secretary of Defense for purposes of determining the number of applicant households that contain one or more active duty member of a regular component or reserve component of the Armed Forces.

Subtitle B—Bonuses and Special and Incentive Pays

Sec. 611. One-Year Extension of Certain Bonus and Special Pay Authorizations for Reserve Forces.

The following sections of title 37, United States Code, are amended—

(1) by striking “December 31, 2015” and inserting “December 31, 2016”;

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

“Sec. 612. One-Year Extension of Certain Bonus and Special Pay Authorizations for Health Care Professionals.

(a) Title 10 Authorities.—The following sections of title 10, United States Code, are amended by striking “December 31, 2015” and inserting “December 31, 2016”:

(1) Section 230a(a)(5), relating to reenlistment bonuses for Selected Reserve;

(2) Section 230a(c)(1), relating to Selected Reserve enlistment and reenlistment bonuses for persons without prior service;

(3) Section 230a(d), relating to special pay for Selected Reserve members assigned to certain high-priority units;

(4) Section 230b(r)(2), relating to Ready Reserve enlistment bonuses for persons without prior service;

(5) Section 230c(e), relating to Ready Reserve enlistment and reenlistment bonuses for persons with prior service;

(6) Section 230e(f), relating to Selected Reserve enlistment and reenlistment bonuses for persons with prior service;

(7) Section 419(a), relating to reimbursement of travel expenses for inactive-duty training outside of normal commuting distance;

(8) Section 919(g), relating to income replacement payments for reserve component members experiencing extended and frequent mobilization for active duty service.

(b) Effective Date.—The amendment made by subsection (a) shall take effect on January 1, 2016.”

June 2, 2015

[Congressional Record]
June 2, 2015

CONGRESSIONAL RECORD — SENATE

S3489

SEC. 614. ONE-YEAR EXTENSION OF AUTHORITIES RELATING TO TITLE 37 CONSOLIDATED SPECIAL, PAY, INCENTIVE PAY, AND BONUS AUTHORITIES.

The following sections of title 37, United States Code, are amended by striking “December 31, 2015” and inserting “December 31, 2016”:

(a) Section 302(e), relating to special pay for health professionals in critically short wartime specialties.
(b) Section 302(c), relating to special pay for nuclear-qualified officers extending period of eligibility.
(c) Section 332(g), relating to bonus for registered nurses.
(d) Section 300k(f), relating to accession bonus for commissioned services.

SEC. 615. ONE-YEAR EXTENSION OF AUTHORITIES RELATING TO PAYMENT OF OTHER PAYS.

The following sections of title 37, United States Code, are amended by striking “December 31, 2015” and inserting “December 31, 2016”:

(1) Section 301, relating to officer accession bonus.
(2) Section 301a, relating to officer specialization bonus.
(3) Section 302, relating to accessions under postgraduate medical programs.
(4) Section 302a, relating to postgraduate medical programs.
(5) Section 303, relating to accessions under postgraduate medical programs.
(6) Section 304, relating to accessions under postgraduate medical programs.
(7) Section 305, relating to accessions under postgraduate medical programs.
(8) Section 306, relating to accessions under postgraduate medical programs.
(9) Section 307, relating to accessions under postgraduate medical programs.
(10) Section 308, relating to accessions under postgraduate medical programs.
(11) Section 309, relating to accessions under postgraduate medical programs.
(12) Section 310, relating to accessions under postgraduate medical programs.
(13) Section 311, relating to accessions under postgraduate medical programs.
(14) Section 312, relating to accessions under postgraduate medical programs.
(15) Section 313, relating to accessions under postgraduate medical programs.
(16) Section 314, relating to accessions under postgraduate medical programs.
(17) Section 315, relating to accessions under postgraduate medical programs.
(18) Section 316, relating to accessions under postgraduate medical programs.
(19) Section 317, relating to accessions under postgraduate medical programs.
(20) Section 318, relating to accessions under postgraduate medical programs.
(21) Section 319, relating to accessions under postgraduate medical programs.
(22) Section 320, relating to accessions under postgraduate medical programs.
(23) Section 321, relating to accessions under postgraduate medical programs.
(24) Section 322, relating to accessions under postgraduate medical programs.
(25) Section 323, relating to accessions under postgraduate medical programs.
(26) Section 324, relating to accessions under postgraduate medical programs.
(27) Section 325, relating to accessions under postgraduate medical programs.
(28) Section 326, relating to accessions under postgraduate medical programs.
(29) Section 327, relating to accessions under postgraduate medical programs.
(30) Section 328, relating to accessions under postgraduate medical programs.
(31) Section 329, relating to accessions under postgraduate medical programs.
(32) Section 330, relating to accessions under postgraduate medical programs.
(33) Section 331, relating to accessions under postgraduate medical programs.
(34) Section 332, relating to accessions under postgraduate medical programs.
(35) Section 333, relating to accessions under postgraduate medical programs.
(36) Section 334, relating to accessions under postgraduate medical programs.
(37) Section 335, relating to accessions under postgraduate medical programs.
(38) Section 336, relating to accessions under postgraduate medical programs.
(39) Section 337, relating to accessions under postgraduate medical programs.
(40) Section 338, relating to accessions under postgraduate medical programs.
(41) Section 339, relating to accessions under postgraduate medical programs.
(42) Section 340, relating to accessions under postgraduate medical programs.
(43) Section 341, relating to accessions under postgraduate medical programs.
(44) Section 342, relating to accessions under postgraduate medical programs.
(45) Section 343, relating to accessions under postgraduate medical programs.
(46) Section 344, relating to accessions under postgraduate medical programs.
(47) Section 345, relating to accessions under postgraduate medical programs.
(48) Section 346, relating to accessions under postgraduate medical programs.
(49) Section 347, relating to accessions under postgraduate medical programs.
(50) Section 348, relating to accessions under postgraduate medical programs.
(51) Section 349, relating to accessions under postgraduate medical programs.
(52) Section 350, relating to accessions under postgraduate medical programs.
(53) Section 351, relating to accessions under postgraduate medical programs.
(54) Section 352, relating to accessions under postgraduate medical programs.
(55) Section 353, relating to accessions under postgraduate medical programs.
(56) Section 354, relating to accessions under postgraduate medical programs.
(57) Section 355, relating to accessions under postgraduate medical programs.
(58) Section 356, relating to accessions under postgraduate medical programs.
(59) Section 357, relating to accessions under postgraduate medical programs.
(60) Section 358, relating to accessions under postgraduate medical programs.
(61) Section 359, relating to accessions under postgraduate medical programs.
(62) Section 360, relating to accessions under postgraduate medical programs.
(63) Section 361, relating to accessions under postgraduate medical programs.
(64) Section 362, relating to accessions under postgraduate medical programs.
(65) Section 363, relating to accessions under postgraduate medical programs.
(66) Section 364, relating to accessions under postgraduate medical programs.
(67) Section 365, relating to accessions under postgraduate medical programs.
(68) Section 366, relating to accessions under postgraduate medical programs.
(69) Section 367, relating to accessions under postgraduate medical programs.
(70) Section 368, relating to accessions under postgraduate medical programs.
(71) Section 369, relating to accessions under postgraduate medical programs.

PART I—RETIRED PAY REFORM

SEC. 631. THRIFT SAVINGS PLAN PARTICIPATION FOR MEMBERS OF THE UNIFORMED SERVICES.

(a) MODERNIZED RETIREMENT SYSTEM.—Section 8400 of title 5, United States Code, is amended by striking subsection (e) and inserting the following:

"(e) MODERNIZED RETIREMENT SYSTEM.—
   (1) TSP CONTRIBUTIONS.—The Secretary shall make contributions to the Thrift Savings Fund, in accordance with section 8432, except to the extent the requirements under such section are modified by this subsection, for the benefit of a member who—
   (A) first enters a uniformed service on or after January 1, 2016; or
   (B) makes an election described in section 1409(b)(4)(B) or 12739(f) of title 10.
   (2) MAXIMUM AMOUNT.—The amount contributed under this subsection by the Secretary shall be not more than 5 percent of such member's basic pay for such pay period.
   (3) TIMING AND DURATION OF CONTRIBUTIONS.—
   (A) AUTOMATIC CONTRIBUTIONS.—The Secretary shall make contributions under subsection (a) at the default percentage of basic pay.

(b) EFFECTIVE DATES.—The amendment made by subsection (a) shall—
   (1) in subparagraph (D)(ii), by striking "(i) Members" and inserting "(ii)(I) Except as provided in subsection (1), members"; and
   (2) by adding at the end the following:
   "(ii) A member described in section 8400(e)(1) shall be an eligible individual for purposes of this paragraph."; and
   (3) by adding at the end the following:
   "(f) Modernized Retirement System.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act."
(2) OTHER AMENDMENTS.—The amendments made by subsections (b) through (e) shall take effect on January 1, 2018.

SEC. 632. MODERNIZED RETIREMENT SYSTEM FOR MEMBERS OF THE UNIFORMED SERVICES.

(a) MODERNIZED RETIREMENT SYSTEM.—

(1) MODERNIZED RETIREMENT SYSTEM.—Section 1409(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(4) MODERNIZED RETIREMENT SYSTEM.—

“(A) REDUCED MULTIPLIERS FOR MEMBERS RECEIVING TSP MATCHING CONTRIBUTIONS.—Notwithstanding paragraphs (1), (2), and (3), in the case of a member who first becomes a member of the uniformed services after January 1, 2018, or a member who makes the election described in subparagraph (B)—

“(i) subparagraph (A) of paragraph (1) shall be applied by substituting ‘2’ for ‘2 1⁄2’;

“(ii) clause (i) of paragraph (3)(B) shall be applied by substituting ‘75 percent’ for ‘75 percent’; and

“(iii) clause (i) of paragraph (3)(B) shall be applied by substituting ‘20 percent’ for ‘25 percent’.

“(B) ELECTION TO PARTICIPATE IN MODERNIZED RETIREMENT SYSTEM.—

“(A) ELECTION.—A person performing reserve component service on January 1, 2018, may elect to accept the reduced multipliers described in paragraph (1) for purposes of calculating the retired pay of the member.

“(i) have the retired pay of the person calculated using the reduced multipliers described in paragraph (1);

“(ii) receive Thrift Savings Plan (TSP) matching contributions pursuant to section 840(e) of title 5 for periods of service between the completion of 2 years of service and the completion of 20 years of service in accordance with paragraph (3)(B) of such section; and

“(iii) be eligible for lump sum payments under section 1402 of this title.

“(B) EFFECT OF ELECTION.—A person making the election described in clause (i) shall—

“(I) have the retired pay of the member calculated using the reduced multipliers described in subparagraph (A);

“(II) receive TSP matching contributions pursuant to section 840(e) of title 5 for periods of service between the completion of 2 years of service and the completion of 20 years of service in accordance with paragraph (3)(B) of such section; and

“(III) be eligible for lump sum payments under section 1402 of this title.

“(C) ELECTION IN GENERAL.—Except as provided in clauses (ii) and (iii), a person performing reserve component service after a break in reserve component service in which falls the election period described in subparagraph (A) during the period that begins on July 1, 2018, and ends on December 31, 2018, may make the election described in subparagraph (A) as if the officer’s service were service as a member of the Armed Forces.

“(d) ELECTION PERIOD.—

“(1) IN GENERAL.—Except as provided in subclauses (II) and (III), a member of a uniformed service serving on January 1, 2018, may elect to accept the reduced multipliers described in subparagraph (A) for purposes of calculating the retired pay of the member.

“(II) have the retired pay of the person calculated using the reduced multipliers described in paragraph (1);

“(II) receive Thrift Savings Plan (TSP) matching contributions pursuant to section 840(e) of title 5 for periods of service between the completion of 2 years of service and the completion of 20 years of service in accordance with paragraph (3)(B) of such section; and

“(III) be eligible for lump sum payments under section 1402 of this title.

“(f) MODERNIZED RETIREMENT SYSTEM.—

“(1) IN GENERAL.—Except as provided in clause (i) and (ii), a person performing reserve component service who experiences a hardship as determined by the Secretary concerned shall prescribe regulations to implement the retired pay of the member.

“(2) MEMBERS EXPERIENCING BREAK IN SERVICE.—A person returning to reserve component service after a break in reserve component service in which falls the election period described in subparagraph (A) during the period that begins on July 1, 2018, and ends on December 31, 2018, may make the election described in subparagraph (A) as if the officer’s service were service as a member of the Armed Forces.

“(3) Persons experiencing break in service.—A person returning to reserve component service after a break in reserve component service in which falls the election period described in subparagraph (A) during the period that begins on July 1, 2018, and ends on December 31, 2018, may make the election described in subparagraph (A) as if the officer’s service were service as a member of the Armed Forces.

“(4) NO RETROACTIVE MATCHING CONTRIBUTIONS PURSUANT TO ELECTION.—Thrift Savings Plan matching contributions may not be made by the Secretary concerned for any pay period beginning before the date of the person’s election under subparagraph (A).

“(5) REGULATIONS.—Each Secretary concerned shall prescribe regulations to implement this subsection.

“(b) COORDINATING AMENDMENTS TO OTHER RETIREMENT AUTHORITIES.—

“(1) DISABILITY, WARRANT OFFICERS, AND DOPA RETIRED PAY.—

“(A) CONTRIBU TIONS OF RETIRED PAY.—The table in section 1401(a) of title 10, United States Code, is amended—

“(i) in paragraph (2) of subsection (a) shall be applied by substituting ‘2 percent’ for ‘2 1⁄2 percent’;

“(B) subparagraph (A) of subsection (c)(2) shall be applied by substituting ‘75 percent’ for ‘75 percent’; and

“(C) clause (ii) of subsection (c)(2)(B) shall be applied by substituting ‘2 percent’ for ‘2 1⁄2 percent’.

“(2) ELECTION TO PARTICIPATE IN MODERNIZED RETIREMENT SYSTEM.—

“(A) ELECTION.—A person performing reserve component service on January 1, 2018, may elect to accept the reduced multipliers described in section 1409(b)(4) of this title, the Secretary shall increase the retired pay of such member in accordance with paragraph (2).

“(B) EFFECT OF ELECTION.—A person making the election described in section 1409(b)(4) of this title, the Secretary shall increase the retired pay of such member in accordance with paragraph (2).

“(2) NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION COMMISSIONED OFFICER CORPS ACT OF 2002.—

“(i) by striking ‘75 percent’ and inserting ‘60 percent’; and

“(ii) by adding at the end the following new paragraph:

“(B) No retroactive matching contributions pursuant to election.—Thrift Savings Plan matching contributions may not be made by the Secretary concerned for any pay period beginning before the date of the person’s election under subparagraph (A).

“(B) REGULATIONS.—

“(1) DISABILITY, WARRANT OFFICERS, AND DOPA RETIRED PAY.—

“(A) CONTRIBU TIONS OF RETIRED PAY.—The table in section 1401(a) of title 10, United States Code, is amended—

“(i) in paragraph (2) of subsection (a) shall be applied by substituting ‘2 percent’ for ‘2 1⁄2 percent’;

“(B) subparagraph (A) of subsection (c)(2) shall be applied by substituting ‘75 percent’ for ‘75 percent’; and

“(C) clause (ii) of subsection (c)(2)(B) shall be applied by substituting ‘2 percent’ for ‘2 1⁄2 percent’.

“(2) ELECTION TO PARTICIPATE IN MODERNIZED RETIREMENT SYSTEM.—

“(A) ELECTION.—A person performing reserve component service on January 1, 2018, may elect to accept the reduced multipliers described in section 1409(b)(4) of this title, the Secretary shall increase the retired pay of such member in accordance with paragraph (2).

“(B) EFFECT OF ELECTION.—A person making the election described in section 1409(b)(4) of this title, the Secretary shall increase the retired pay of such member in accordance with paragraph (2).

“(2) NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION COMMISSIONED OFFICER CORPS ACT OF 2002.—

“(i) by striking ‘75 percent’ and inserting ‘60 percent’; and

“(ii) by adding at the end the following new paragraph:

“(B) No retroactive matching contributions pursuant to election.—Thrift Savings Plan matching contributions may not be made by the Secretary concerned for any pay period beginning before the date of the person’s election under subparagraph (A).

“(B) REGULATIONS.—

“(1) DISABILITY, WARRANT OFFICERS, AND DOPA RETIRED PAY.—

“(A) CONTRIBU TIONS OF RETIRED PAY.—The table in section 1401(a) of title 10, United States Code, is amended—

“(i) in paragraph (2) of subsection (a) shall be applied by substituting ‘2 percent’ for ‘2 1⁄2 percent’;

“(B) subparagraph (A) of subsection (c)(2) shall be applied by substituting ‘75 percent’ for ‘75 percent’; and

“(C) clause (ii) of subsection (c)(2)(B) shall be applied by substituting ‘2 percent’ for ‘2 1⁄2 percent’.

“(2) ELECTION TO PARTICIPATE IN MODERNIZED RETIREMENT SYSTEM.—

“(A) ELECTION.—A person performing reserve component service on January 1, 2018, may elect to accept the reduced multipliers described in section 1409(b)(4) of this title, the Secretary shall increase the retired pay of such member in accordance with paragraph (2).

“(B) EFFECT OF ELECTION.—A person making the election described in section 1409(b)(4) of this title, the Secretary shall increase the retired pay of such member in accordance with paragraph (2).

“(2) NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION COMMISSIONED OFFICER CORPS ACT OF 2002.—

“(i) by striking ‘75 percent’ and inserting ‘60 percent’; and

“(ii) by adding at the end the following new paragraph:

“(B) No retroactive matching contributions pursuant to election.—Thrift Savings Plan matching contributions may not be made by the Secretary concerned for any pay period beginning before the date of the person’s election under subparagraph (A).

“(B) REGULATIONS.—

“(1) DISABILITY, WARRANT OFFICERS, AND DOPA RETIRED PAY.—

“(A) CONTRIBU TIONS OF RETIRED PAY.—The table in section 1401(a) of title 10, United States Code, is amended—

“(i) in paragraph (2) of subsection (a) shall be applied by substituting ‘2 percent’ for ‘2 1⁄2 percent’;

“(B) subparagraph (A) of subsection (c)(2) shall be applied by substituting ‘75 percent’ for ‘75 percent’; and

“(C) clause (ii) of subsection (c)(2)(B) shall be applied by substituting ‘2 percent’ for ‘2 1⁄2 percent’.

“(2) ELECTION TO PARTICIPATE IN MODERNIZED RETIREMENT SYSTEM.—

“(A) ELECTION.—A person performing reserve component service on January 1, 2018, may elect to accept the reduced multipliers described in section 1409(b)(4) of this title, the Secretary shall increase the retired pay of such member in accordance with paragraph (2).

“(B) EFFECT OF ELECTION.—A person making the election described in section 1409(b)(4) of this title, the Secretary shall increase the retired pay of such member in accordance with paragraph (2).
(B) retirement.—The provisions made by paragraph (3) of subsection (a) shall take effect on the date of the enactment of this Act.

SEC. 632. LUMP SUM PAYMENTS OF CERTAIN RETIRED PAY.

(a) Lump Sum Payments of Certain Retired Pay.—

(1) In general.—Chapter 71 of title 10, United States Code, is amended by adding at the end the following new section:

`§ 1415. Lump sum payment of certain retired pay.

``(a) Definitions.—In this section:

``(1) Covered retired pay.—The term 'covered retired pay' means retired pay under—

``(A) this title;

``(B) title 14;

``(C) the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (33 U.S.C. 3001 et seq.); or

``(D) the Public Health Service Act (42 U.S.C. 201 et seq.).

``(2) Eligible person.—The term 'eligible person' means a person who—

``(A)(i) first becomes a member of a uniformed service on or after January 1, 2018; or

``(ii) makes the election described in section 1409(b)(4) or 1273(b)(1) of this title; and

``(B) at the time of the election or before, either—

``(i) attains 60 years of age; or

``(ii) subject to paragraph (2), makes the election described in subsection (a)(1).

``(3) Retirement age.—The term 'retirement age' has the meaning given the term in section 216(l) of the Social Security Act (42 U.S.C. 416(l)).

``(b) Election of Lump Sum Payment of Covered Retired Pay.—

``(1) In general.—An eligible person entitled to covered retired pay (including an eligible person who is entitled to such pay by reason of an election described in subsection (a)(2)(A)(ii)) may elect—

``(A) to receive a lump sum payment of the discounted present value at the time of the election of the amount of the covered retired pay that the eligible person is otherwise entitled to receive for the period beginning on the date of retirement and ending on the date the eligible person attains the eligible person's retirement age; or

``(B) to receive—

``(i) a lump sum payment of an amount equal to the amount otherwise receivable by the eligible person pursuant to subparagraph (A); and

``(ii) a monthly amount during the period described in subparagraph (A) equal to 50 percent of the amount of monthly covered retired pay the eligible person is otherwise entitled to receive during such period.

``(2) Actuary's Value.—The Secretary of Defense shall compute the discounted present value of amounts of covered retired pay that an eligible person is otherwise entitled to receive for a period for purposes of paragraph (1)(A) by—

``(A) estimating the aggregate amount of covered retired pay the person would receive for the period of time and the cost-of-living adjustments under section 1401 of this title projected by the Secretary at the time the person separates from service and would otherwise begin receiving covered retired pay; and

``(B) reducing the aggregate amount estimated pursuant to subparagraph (A) by an appropriate percentage determined by the Secretary—

``(i) using average personal discount rates (as defined and calculated by the Secretary taking into consideration applicable and reputable studies of personal discount rates for military personnel and past actuarial experience in the calculation of personal discount rates); and

``(ii) in accordance with generally accepted actuarial principles and practices.

``(3) Timing of Election.—An eligible person shall make the election under this subsection not later than 90 days before the date of the retirement of the eligible person from the uniformed services.

``(4) Single Payment or Combination of Payments.—An eligible person may elect to receive a lump sum payment under this subsection in a single payment or in a combination of payments.

``(5) Commencement of Payment.—An eligible person who makes an election under this subsection to receive a lump sum payment, or the first installment of a combination of payments of the lump sum payment if elected under paragraph (4), as follows:

``(A) Not later than 90 days after the date of the retirement of the eligible person from the uniformed services.

``(B) In the case of an eligible person who is a member of a reserve component, not later than 60 days after the later of—

``(i) the date on which the eligible person attains 80 years of age; or

``(ii) the date on which the eligible person first becomes entitled to covered retired pay.

``(6) No Subsequent Adjustment.—An eligible person who accepts payment of a lump sum under this paragraph shall not seek the review of or otherwise challenge the amount of the lump sum in light of any variation in cost-of-living adjustments under section 1401 of this title, actuarial assumptions, or other factors used by the Secretary in calculating the amount of the lump sum that occur after the Secretary pays the lump sum payment.

``(c) Resumption of Monthly Annuity.—

``(1) General Rule.—Subject to paragraph (2), an eligible person who makes an election described in subsection (b) shall be entitled to receive the eligible person's monthly covered retired pay calculated in accordance with paragraph (2) after the eligible person attains the eligible person's retirement age.

``(2) Restoration of Full Retirement Amount at Retirements Age.—The retired pay of an eligible person who makes an election described in subsection (a) shall be recomputed, effective on the first day of the first month beginning after the person attains the eligible person's retirement age, as to be an amount equal to the amount of covered retired pay to which the eligible person would otherwise be entitled on that date and the amount of covered retired pay of the eligible person made to reflect changes in the Consumer Price Index, had been made in accordance with section 1401(a) of this title.

``(d) Payment of Retired Pay to Persons Not Making Election.—An eligible person who does not make the election described in subsection (b) shall be paid the retired pay to which the eligible person is otherwise entitled under the applicable provisions of law referred to in subsection (a)(1).

``(e) Regulations.—The Secretary of Defense concerning regulations shall be the amount that is equal to—

``(i) completes 12 years of service; and

``(ii) enters into an agreement with the Secretary to serve for an additional 4 years of obligated service.

``(2) Eligibility Dependent on Election Before Completion of 12 Years of Service.—A member who makes an election described in paragraph (1)(A) or (B) of title 10, United States Code, is eligible to receive continuation pay under this section if the member satisfies the applicable requirement in subparagraph (A) and—

``(A) in the case of a member of a regular component—

``(i) the amount of monthly basic pay of the member at 12 years of service multiplied by 2.5; plus

``(B) at the discretion of the Secretary concerned, the monthly basic pay of the member at the time the member would otherwise become eligible by such number of months (not to exceed 12 months) as the Secretary concerned shall specify in the agreement of the member under subsection (a); and

``(2) in the case of a member of a reserve component—

``(A) the amount of monthly basic pay to which the member would be entitled at 12 years of service if the member were a member of a regular component multiplied by 0.5; plus

``(B) at the discretion of the Secretary concerned, the amount of monthly basic pay described in subparagraph (A) multiplied by such number of months (not to exceed 6 months) as the Secretary concerned shall specify in the agreement of the member under subsection (a).

``(B) Timing of Payment.—The Secretary concerned shall pay continuation pay under this section to a person under this title shall be reduced by the amount of any lump sum payment made to such person under section 1415 of title 10.

``(2) The Secretary shall collect any reduction under paragraph (1) from amounts otherwise payable to the person under this title, including retirement and compensation payments under this title, before any pension and compensation payments under this title may be paid to the person.

SEC. 634. Continuation Pay After 12 Years of Service for Members Participating in Modernized Retirement Systems.

(a) Continuation Pay.—

``(1) In General.—Subchapter II of chapter 5 of title 37, United States Code, is amended by adding at the end the following new sections:

``§ 356. Continuation pay after 12 years of service: members participating in modernized retirement systems.

``(2) Continuation pay payable to a member under this section shall be the amount that is equal to—

``(A) in the case of a member of a regular component—

``(i) completes 12 years of service; and

``(ii) enters into an agreement with the Secretary to serve for an additional 4 years of obligated service.

``(B) at the discretion of the Secretary concerned, the monthly basic pay of the member at the time the member would otherwise become eligible by such number of months (not to exceed 12 months) as the Secretary concerned shall specify in the agreement of the member under subsection (a); and

``(2) in the case of a member of a reserve component—

``(A) the amount of monthly basic pay to which the member would be entitled at 12 years of service if the member were a member of a regular component multiplied by 0.5; plus

``(B) at the discretion of the Secretary concerned, the monthly basic pay described in subparagraph (A) multiplied by such number of months (not to exceed 6 months) as the Secretary concerned shall specify in the agreement of the member under subsection (a).

``(2) Timing of Payment.—The Secretary concerned shall pay continuation pay under this section to a person under this title shall be reduced by the amount of any lump sum payment made to such person under section 1415 of title 10.

``(2) The Secretary shall collect any reduction under paragraph (1) from amounts otherwise payable to the person under this title, including retirement and compensation payments under this title, before any pension and compensation payments under this title may be paid to the person.''

CONGRESSIONAL RECORD—SENATE
June 2, 2015
S3491
"(f) REPAYMENT.—A member who receives continuation pay under this section and fails to complete the obligated service required under subsection (a)(2)(B)(ii) shall be subject to the repayment provisions of section 373 of this title.

"(g) REGULATIONS.—Each Secretary concerned shall prescribe regulations to carry out this section.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 5 of such title is amended by adding at the end the following new item:

"356. Continuation pay after 12 years of service: members participating in modernized retirement systems.''

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on January 1, 2018, and shall apply with respect to agreements entered into under section 356 of title 37, United States Code, after that date.

SEC. 635. AUTHORITY FOR RETIREMENT FLEXIBILITY FOR MEMBERS OF THE UNIFORMED SERVICES.

(a) AUTHORITY FOR RETIREMENT FLEXIBILITY.—Chapter 63 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 1276. Retirement flexibility: authority to modify years of service required for retirement for particular occupational specialties or other groupings

"(a) AUTHORITY.—Notwithstanding any other provision of law, the Secretary concerned may modify the years of service required for an eligible member to retire, to greater than or fewer than 20 years of service, in order to expedite management actions that shape the personnel profile or correct manpower shortages within an occupational specialty or other grouping of members or services.

"(b) ELIGIBLE MEMBER DEFINED.—In this section, the term 'eligible member' means a member of the uniformed services working in an occupational specialty or other grouping designated by the Secretary concerned as in need of a management action described in subsection (a).

(c) NOTICE-AND-WAIT.—

"(1) NOTICE REQUIRED.—The Secretary concerned shall submit to Congress notice of any proposed modification under subsection (a) at least 90 days in advance of the date on which notice of the modification is submitted to Congress under paragraph (1).

"(2) LIMITATION.—The Secretary concerned may not implement a proposed modification under subsection (a) until one year after the day on which notice of the modification is submitted to Congress under paragraph (1).

"(d) APPLICABILITY.—The Secretary concerned may only modify the required years of service under subsection (a) for an eligible member who first becomes a member of a uniformed service on or after the date of the expiration of the one year period described in subsection (c)(2) that is applicable to the occupational specialty or other grouping in which the eligible member works.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 63 of such title is amended by adding at the end the following new items:

"1276. Retirement flexibility: authority to modify years of service required for retirement for particular occupational specialties or other groupings.''

SEC. 636. TREATMENT OF DEPARTMENT OF DEFENSE MILITARY RETIREMENT FUND AS A QUALIFIED TRUST.

(a) IN GENERAL.—Chapter 74 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 1468. Treatment as a qualified trust

"(1) the Fund shall be treated as a trust described in section 401(a) of such Code (26 U.S.C. 401(a)); and

"(2) any contribution to, or distribution from, the Fund shall be treated in the same manner as contributions to or distributions from such a trust.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 74 of such title is amended by adding at the end the following new item:

"1468. Treatment as a qualified trust.''

PART II—OTHER MATTERS

SEC. 641. DEATH OF FORMER SPouse Beneficiaries and Subsequent Retired Pay Under Survivor Benefit Plan.

(a) IN GENERAL.—Section 144(b) of title 10, United States Code, as amended by adding at the end the following new paragraph:

"(7) EFFECT OF DEATH OF FORMER SPouse Beneficiary.—

"(A) TERMINATION OF PARTICIPATION IN PLAN.—A person who elects to provide an annuity to a former spouse under paragraph (2) or (3) and whose former spouse subsequently dies is no longer a participant in the Plan, effective on the date of death of the former spouse.

"(B) AUTHORITY FOR ELECTION OF NEW SPouse Beneficiary.—If a participant's participation in the Plan is discontinued by reason of the death of a former spouse beneficiary, the person may elect to resume participation in the Plan and to elect a new spouse beneficiary as follows:

"(i) MARRIED ON THE DATE OF DEATH OF FORMER spouse Beneficiary.—A person who is married at the time of the death of the former spouse beneficiary may elect to provide coverage to that person's spouse. Such an election must be received by the Secretary concerned within one year after the date of death of the former spouse beneficiary.

"(ii) MARRIAGE AFTER DEATH OF FORMER Spouse Beneficiary.—A person who is not married at the time of the death of the former spouse beneficiary and who later marries may elect to provide spouse coverage. Such an election must be received by the Secretary concerned within one year after the date on which that person marries.

"(C) EFFECTIVE DATE OF ELECTION.—The effective date of election under this paragraph shall be as follows:

"(1) An election under subparagraph (B)(i) is effective as of the first day of the first calendar month following the death of the former spouse beneficiary.

"(2) An election under subparagraph (B)(ii) is effective as of the first day of the first calendar month following the date of death of the former spouse beneficiary.

"(3) An election under subparagraph (B)(ii) may not reduce the base amount previously elected.

"(D) LEVEL OF COVERAGE.—A person making an election under paragraph (B) may not reduce the base amount previously elected.

"(E) PROCEDURES.—An election under this subsection shall be responsible for paying transitional compensation and other benefits to the person electing to participate in the Plan under subsection (a).

"(F) IRREVOCABILITY.—An election under this paragraph is irrevocable.''

(b) EFFECTIVE DATE.—Paragraph (7) of section 144(b) of title 10, United States Code, as amended by adding at the end the following new paragraphs:

"(1) the Fund shall be treated as a trust described in section 401(a) of such Code (26 U.S.C. 401(a)); and

"(2) any contribution to, or distribution from, the Fund shall be treated in the same manner as contributions to or distributions from such a trust.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 74 of such title is amended by adding at the end the following new item:

"1468. Treatment as a qualified trust.''

\("1408. Treatment as a qualified trust\)
the member who resides in the same household as that spouse or former spouse.

"(B) If there is a spouse or former spouse who is, or but for subsection (d)(2), would be eligible under this section, compensation under this section may be paid to the dependent children of the member.

"(2) A dependent or former dependent of a member described in subsection (b) is not eligible for transitional compensation under this section if the Secretary concerned determines (under regulations prescribed under subsection (g)) that the dependent or former dependent is eligible under section 1059 of title 10, United States Code, for payments pursuant to section 1059 of this title.

"(C) If there is no spouse or former spouse who is, or but for subsection (d)(2), would be eligible under this section, compensation under this section may be paid to the dependent children of the member.

"(2) A dependent child defined.—In this section, the term ‘dependent child’ (with respect to a member or former member of the armed forces referred to in subsection (b)) has the meaning given such term in subsection (l) of section 1059 of this title, except that status as a ‘dependent child’ shall be determined as of the date on which the member described in subsection (b) is convicted of the offense concerned.

"(2) CEREMONIAL AND禮儀 AMENDMENT.—The table of sections at the beginning of chapter 53 of this title is amended by inserting after the item relating to section 1059 the following new item:

"1059a. Dependents of members of the armed forces ineligible to receive relief. (a) In this section the term ‘court-martial sentence: transitional compensation and other benefits’ includes any court-martial sentence: transitional compensation and other benefits to which the Secretary of Defense may be entitled pursuant to section 1408(h) or 1408(i) of this title, on the other hand. In the case of a spouse or former spouse for whom a court order provides for payments pursuant to section 1408(h) or 1408(i) of this title and to whom the Secretary of Defense offers payments under this section, the spouse or former spouse shall elect which payments to receive.

"Subtitle E—Commissary and Non-Appropriated Fund Instrumentality Benefits and Operations

SEC. 651. COMMISSARY SYSTEM MATTERS.

(a) OPERATING EXPENSES.—Section 2403 of title 10, United States Code, is amended—

"(1) in subsection (b)—

"(A) in paragraph (4), by striking ‘‘supplies and’’ and inserting ‘‘supplies and’’; (B) by striking (5); and

"(2) by adding at the end the following new subsection:

"(d) TRANSPORTATION COSTS FOR CERTAIN GOODS AND SUPPLIES.—Appropriated funds may be used to pay any costs associated with the transportation of commissary goods and supplies to overseas areas, but only to the extent that the working capital fund for commissary operations is reimbursed for the payment of such costs. The sales prices in commissary stores worldwide shall be adjusted in an equalized manner to the extent necessary to provide sufficient gross revenue from such sales to make such reimbursements.

"(e) UNIFORM SYSTEM-WIDE PRICING.—The defense commissary system shall be managed with the objective of attaining uniform system-wide pricing.

"(2) Pricing and Surcharges.—Section 2404 of such title is amended—

"(1) by striking subsection (e) and inserting the following new subsection:

"(e) SALES PRICE ESTABLISHMENT.—The Secretary of Defense shall establish the sales prices of goods and supplies sold by commissary stores in amounts sufficient to finance operating expenses as prescribed in section 2403(b) of this title and the replenishment of inventories.

"(2) in subsection (h)—

"(A) in the subsection caption, by striking ‘‘MAINTENANCE, AND PURCHASE OF OPERATING SUPPLIES’’; and

"(B) in paragraph (1)(A)—

"(i) in clause (i), by striking ‘‘and’’ at the end; and

"(ii) in clause (ii), by striking the period at the end and inserting ‘‘and’’;

"(C) by redesignating paragraph (6) as paragraph (5); and

"(D) in paragraph (5), by striking ‘‘(d)’’ and inserting ‘‘(c)’’. SEC. 652. PLAN ON PRIVATIZATION OF THE DEFENSE COMMISSARY SYSTEM.

(a) PLAN REQUIRED.—

"(1) PLAN GENERAl.—Not later than March 1, 2016, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth a plan for the privatization, in whole or in part, of the defense commissary system of the Department of Defense.

"(2) REPORT ELEMENTS.—The report required by subsection (a) shall include—

"(A) An evaluation of the current rates of basic pay and basic allowance for subsistence payable to members of the Armed Forces, an assessment whether such basic pay and basic allowance should be adjusted to ensure that members maintain purchasing power for grocery goods and products under the plan; and

"(B) An estimate of any initial and long-term costs or savings to the Department as a result of the implementation of the plan.

"(3) RECOMMENDATIONS FOR LEGISLATIVE ACTIONS.—The plan shall include recommendations for such legislative action as the Secretary considers appropriate to implement the plan.

"(c) CONFORMING AMENDMENT.—Subsection (c) of section 861 of title 10, United States Code, is amended by striking ‘‘and’’ and inserting ‘‘or’’. SEC. 653. PLAN ON PRIVATIZATION OF THE DEFENSE COMMISSARY SYSTEM.

(a) PLAN REQUIRED.—

"(1) PLAN ELEMENTS.—The plan required by subsection (a) shall include—

"(A) An evaluation of the current rates of basic pay and basic allowance for subsistence payable to members of the Armed Forces, an assessment whether such basic pay and basic allowance should be adjusted to ensure that members maintain purchasing power for grocery goods and products under the plan; and

"(B) An estimate of any initial and long-term costs or savings to the Department as a result of the implementation of the plan.

"(c) CONFORMING AMENDMENT.—Subsection (c) of section 861 of title 10, United States Code, is amended by striking ‘‘and’’ and inserting ‘‘or’’.

"(2) REPORT ELEMENTS.—The report required by subsection (a) shall include—

"(A) An evaluation of the current rates of basic pay and basic allowance for subsistence payable to members of the Armed Forces, an assessment whether such basic pay and basic allowance should be adjusted to ensure that members maintain purchasing power for grocery goods and products under the plan; and

"(B) An estimate of any initial and long-term costs or savings to the Department as a result of the implementation of the plan.

"(3) RECOMMENDATIONS FOR LEGISLATIVE ACTIONS.—The plan shall include recommendations for such legislative action as the Secretary considers appropriate to implement the plan.

"(b) ELEMENTS.—

"(1) PLAN ELEMENTS.—The plan required by subsection (a) shall ensure the provision of high quality grocery goods and products, discounts savings to patrons, and high levels of customer satisfaction while achieving savings for the Department of Defense.

"(2) REPORT ELEMENTS.—The report required by subsection (a) shall include—

"(A) An evaluation of the current rates of basic pay and basic allowance for subsistence payable to members of the Armed Forces, an assessment whether such basic pay and basic allowance should be adjusted to ensure that members maintain purchasing power for grocery goods and products under the plan; and

"(B) An estimate of any initial and long-term costs or savings to the Department as a result of the implementation of the plan.

"(3) RECOMMENDATIONS FOR LEGISLATIVE ACTIONS.—The plan shall include recommendations for such legislative action as the Secretary considers appropriate to implement the plan.

"(c) CONFORMING AMENDMENT.—Subsection (c) of section 861 of title 10, United States Code, is amended by striking ‘‘and’’ and inserting ‘‘or’’.

"(2) REPORT ELEMENTS.—The report required by subsection (a) shall include—

"(A) An evaluation of the current rates of basic pay and basic allowance for subsistence payable to members of the Armed Forces, an assessment whether such basic pay and basic allowance should be adjusted to ensure that members maintain purchasing power for grocery goods and products under the plan; and

"(B) An estimate of any initial and long-term costs or savings to the Department as a result of the implementation of the plan.

"(3) RECOMMENDATIONS FOR LEGISLATIVE ACTIONS.—The plan shall include recommendations for such legislative action as the Secretary considers appropriate to implement the plan.

"(b) ELEMENTS.—

"(1) PLAN ELEMENTS.—The plan required by subsection (a) shall include—

"(A) An evaluation of the current rates of basic pay and basic allowance for subsistence payable to members of the Armed Forces, an assessment whether such basic pay and basic allowance should be adjusted to ensure that members maintain purchasing power for grocery goods and products under the plan; and

"(B) An estimate of any initial and long-term costs or savings to the Department as a result of the implementation of the plan.

"(3) RECOMMENDATIONS FOR LEGISLATIVE ACTIONS.—The plan shall include recommendations for such legislative action as the Secretary considers appropriate to implement the plan.

"(c) CONFORMING AMENDMENT.—Subsection (c) of section 861 of title 10, United States Code, is amended by striking ‘‘and’’ and inserting ‘‘or’’.
(2) NUMBER AND LOCATION OF COMMISSARIES.—The pilot program shall involve not fewer than five commissaries selected by the Secretary for purposes of the pilot program from among commissaries in the largest markets of the defense commissary system in the United States.

(3) SCOPE OF PILOT PROGRAM.—The Secretary shall carry on the pilot program in accordance with the plan described in paragraph (1) as modified by the Secretary in light of the assessment of the plan by the Comptroller General pursuant to subsection (c). The Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a notice on any modifications made to the plan for purposes of the pilot program in light of the assessment.

(4) ADDITIONAL ELEMENT ON ONLINE PURCHASES.—In addition to any requirements under paragraph (3), the Secretary may include in the pilot program a component designed to permit eligible beneficiaries of the defense commissary system in the catchment areas of the commissaries selected for participation in the pilot program to order and purchase grocery goods and products otherwise available through the defense commissary system through the Internet and to receive items so ordered through home delivery.

(5) DURATION.—The duration of the pilot program shall be two years.

(6) REPORT.—Not later than 180 days after the completion of the pilot program, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the pilot program, including—

(A) an assessment of the feasibility and advisability of carrying out the plan described in paragraph (1), as modified, if at all, as described in paragraph (3); and

(B) a description of any modifications to the plan the Secretary considers appropriate in light of the pilot program.

SEC. 653. COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON THE COMMISSARY SURCHARGE, NON-APPROPRIATED FUND, AND PRIVATELY-FINANCED MAJOR CONSTRUCTION PROGRAM.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the Commissary Surcharge, Non-appropriated Fund and Privately-Financed Major Construction Program of the Department of Defense.

(b) ELEMENTS.—The report under subsection (a) shall include the following:

(1) An assessment whether the Secretary of Defense has established policies and procedures to ensure the timely submittal to the committees of Congress referred to in subsection (a) of notice on construction projects proposed to be funded through the program referred to in that subsection.

(2) An assessment whether the Secretaries of the military departments have developed and implemented policies and procedures to comply with the policies and directives of the Department of Defense for the submittal to such committees of Congress of notice on such construction projects.

(3) An assessment whether the Secretary of Defense has established policies and procedures to notify such committees of Congress when such construction projects have been commenced without notice to Congress.

(4) An assessment whether construction projects described in paragraph (3) have been completed before submittal of notice to Congress as described in that paragraph and, if so, a list of such projects.

TITLE VII—HEALTH CARE PROVISIONS

Subtitle A—TRICARE and Other Health Care Benefits

SEC. 701. URGENT CARE AUTHORIZATION UNDER THE TRICARE PROGRAM.

(a) URGENT CARE.—

(1) IN GENERAL.—In accordance with the regulations prescribed under this section, a covered beneficiary under the TRICARE program shall have access to up to four urgent care visits per year under that program without the need for preauthorization for such visits.

(2) REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall prescribe regulations to carry out paragraph (1).

(b) PUBLICATION.—The Secretary shall—

(1) publish information on any modifications made pursuant to subsection (a) to the authorization requirements for the receipt of urgent care under the TRICARE program—

(A) on the primary Internet website that is available to the public of the Department; and

(B) on the primary Internet website that is available to the public of each military medical treatment facility; and

(2) ensure that such information is made available on the primary Internet website that is available to the public of each current managed care contractor that has established a health care provider network under the TRICARE program.

(c) DEFINITIONS.—In this section, the terms "covered beneficiary" and "TRICARE program" have the meaning given such terms in section 1072 of title 10, United States Code.

SEC. 702. MODIFICATIONS OF COST-SHARING REQUIREMENTS FOR THE TRICARE PHARMACY BENEFITS PROGRAM.

Paragraph (6) of section 1074(a) of title 10, United States Code, is amended to read as follows:

"(6)(A) In the case of any of the years 2016 through 2025, the cost-sharing amounts under this subsection shall be determined in accordance with the following table:

<table>
<thead>
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<th>Year</th>
<th>The cost-sharing amount for a 30-day supply of a mail order generic is:</th>
<th>The cost-sharing amount for a 90-day supply of a mail order formulary is:</th>
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<tbody>
<tr>
<td>2016</td>
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</tr>
<tr>
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<tr>
<td>2025</td>
<td>$14</td>
<td>$46</td>
</tr>
</tbody>
</table>

"(B) For any year after 2025, the cost-sharing amounts under this subsection shall be equal to the cost-sharing amounts for the previous year adjusted by an amount, if any, determined by the Secretary to reflect changes in the costs of pharmaceutical agents and prescription dispensing, rounded to the nearest dollar.

(3) NOTWITHSTANDING subparagraphs (A) and (B), the cost-sharing amounts under this subsection for any year for a dependent of a member of the uniformed services who dies while on active duty, a member retired under chapter 61 of this title, or a dependent of such a member shall be equal to the cost-sharing amounts, if any, for 2015.

SEC. 703. EXPANSION OF CONTINUED HEALTH BENEFITS COVERAGE TO INCLUDE DISCHARGED AND RELEASED MEMBERS OF THE SELECTED RESERVE.

(a) IN GENERAL.—Subsection (b) of section 1078a of title 10, United States Code, is amended—

(1) by redesignating paragraphs (2) through (4) as paragraphs (3) through (5), respectively; and

(2) by inserting after paragraph (1) the following new paragraph (2):

"(2) A member of the Selected Reserve of the Ready Reserve of a reserve component of the armed forces who—

(A) is discharged or released from service in the Selected Reserve, whether voluntarily or involuntarily, under other than adverse conditions, as characterized by the Secretary concerned;

(B) immediately preceding that discharge or release, is eligible to enroll in TRICARE standard coverage under section 1076d of this title; and
“(C) after that discharge or release, would not otherwise be eligible for any benefits under this chapter.”.

(b) NOTIFICATION OF ELIGIBILITY.—Subsection (c)(2) of such section is amended by inserting “or subsection (b)(2)” after “subsection (b)(1)”.

(c) ELECTION OF COVERAGE.—Subsection (d) of such section is amended—

(1) by redesignating paragraphs (2) through (4) as paragraphs (3) through (5), respectively; and

(2) by inserting after paragraph (1) the following new paragraph (2):

“(2) In the case of a member described in subsection (b)(2), the written election shall be submitted to the Secretary concerned before the end of the 60-day period beginning on the later of—

(A) the date of the discharge or release of the member from service in the Selective Reserve; and

(B) the date the member receives the notification required pursuant to subsection (c).”.

(d) COVERAGE OF DEPENDENTS.—Subsection (e) of such section is amended by inserting “or subsection (b)(2) after “subsection (b)(1)”.

(e) PERIOD OF CONTINUED COVERAGE.—Subsection (g)(1) of such section is amended—

(1) by redesignating paragraphs (B) through (D) as subparagraphs (C) through (E); and

(2) by inserting after subparagraph (A) the following new subparagraph (B):

“(B) in the case of a member described in subsection (b)(2), the date which is 18 months after the date the member ceases to be eligible to enroll in TRICARE Standard coverage under section 1076d of this title;”.

(f) CONFORMING AMENDMENTS.—Such section is further amended—

(1) in subsection (c)—

(A) in paragraph (3), by striking “subsection (b)(2)” and inserting “subsection (b)(3)”;

(B) in paragraph (4), by striking “subsection (b)(3)” and inserting “subsection (b)(4)”;

(C) in subsection (d), by striking “subsection (b)(2) or subsection (b)(3)” and inserting “subsection (b)(4)”;

(D) in paragraph (3), as redesignated by subsection (c)(1), by striking “subsection (b)(2)” and inserting “subsection (b)(3)”;

(E) in subparagraph (D), as so redesignated, by striking “subsection (b)(3)” and inserting “subsection (b)(4)”;

(F) in paragraph (5), as so redesignated, by striking “subsection (b)(4)” and inserting “subsection (b)(5)”;

(G) in subsection (g), by striking “subsection (b)(2) or subsection (b)(3)” and inserting “subsection (b)(3) or subsection (b)(4)”;

(H) in subsection (h), by striking “subsection (b)(2)” and inserting “subsection (b)(3)”;

(I) in paragraph (1), by redesignating paragraphs (C) through (E) as paragraphs (D) through (G), respectively; and

(J) in paragraph (2), by striking “subsection (b)(2) or subsection (b)(3)” and inserting “subsection (b)(3)” and “subsection (b)(4)”.

(g) SEC. 704. EXPANSION OF REIMBURSEMENT FOR SMOKING CESSATION SERVICES FOR CERTAIN TRICARE BENEFICIARIES.


(1) in paragraph (1)(A), by striking “during fiscal year 2009”;

(2) in paragraph (1)(B), by striking “during such period”;

(3) in paragraph (2), by striking “during fiscal year 2009” and inserting “after September 30, 2008.”

(h) SEC. 705. PILOT PROGRAM ON TREATMENT OF MEMBERS OF THE ARMED FORCES FOR POST-TRAUMATIC STRESS DISORDER RELATED TO MILITARY SEXUAL TRAUMA.

(a) IN GENERAL.—The Secretary of Defense may conduct a pilot program to provide intensive outpatient programs to treat members of the Armed Forces suffering from post-traumatic stress disorder resulting from military sexual trauma, including treatment for substance abuse, depression, and other issues related to such conditions.

(b) GRANTS TO COMMUNITY PARTNERS.—

(1) IN GENERAL.—The Secretary of Defense may carry out the program through the award of grants to community partners described in paragraph (2).

(2) COMMUNITY PARTNERS.—A community partner described in this paragraph is a private health care organization or institution that—

(A) provides health care to members of the Armed Forces;

(B) provides evidence-based treatment for psychological and neurological conditions that are common among members of the Armed Forces suffering from post-traumatic stress disorder, traumatic brain injury, substance abuse, and depression;

(C) provides health care, support, and other benefits to family members of members of the Armed Forces; and

(D) provides health care under the TRICARE program (as that term is defined in section 1072 of title 10, United States Code).

(c) REQUIREMENTS OF GRANT RECIPIENTS.—Each community partner awarded a grant under subsection (b) shall—

(1) carry out intensive outpatient programs of short duration to treat members of the Armed Forces suffering from post-traumatic stress disorder, traumatic brain injury, sexual trauma, including treatment for substance abuse, depression, and other issues related to such conditions;

(2) use evidence-based and evidence-informed treatment strategies in carrying out such programs;

(3) share clinical and outreach best practices with other community partners participating in the pilot program;

(4) annually assess outcomes for members of the Armed Forces participating in the program with respect to the treatment of conditions described in paragraph (1);

(5) report to the Secretary on the results of the program; and

(6) submit an annual report to the Secretary that includes the following information:

(A) a description of the program and its procedures;

(B) an evaluation of the program’s effectiveness in treating the conditions described in paragraph (1); and

(C) such other information as the Secretary may require.

(d) FEDERAL SHARES.—The Federal share of the costs of a program carried out by a community partner using a grant under this section may not exceed 50 percent.

(e) TERMINATION.—The Secretary of Defense may not carry out the conduct of the pilot program after the date that is three years after the date of the enactment of this Act.

Subtitle B—Health Care Administration

SEC. 711. ACCESS TO HEALTH CARE UNDER THE TRICARE PROGRAM.

(a) ACCESS TO HEALTH CARE.—

(1) IN GENERAL.—In order to maintain access to care for TRICARE beneficiaries, the Secretary shall ensure that covered beneficiaries under the TRICARE program seeking an appointment for health care under such program at a military medical treatment facility obtain such an appointment at such facility within the time period specified in the final wait-time goals for appointments for each such category and subcategory of health care.

(b) GRANTS TO COMMUNITY PARTNERS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall establish health care access standards for the receipt of the TRICARE program, whether received at military medical treatment facilities or from health care providers with which a contract has been entered into under such program.

(2) CATEGORIES OF CARE.—The health care access standards established under paragraph (1) shall include standards with respect to the following categories of health care:

(A) Primary care, including pediatric care, maternity care, gynecological care, and other subcategories of primary care.

(B) Specialty care, including behavioral health care and other subcategories of specialty care.

(c) MODIFICATIONS.—The Secretary may modify the health care access standards established under paragraph (1) whenever the Secretary determines that such standards are not consistent with the health care needs of TRICARE beneficiaries.

(d) PUBLICATION.—The Secretary shall publish the health care access standards established under paragraph (1), and any modifications to such standards, in the Federal Register and on a publicly accessible Internet website of the Department of Defense.

(e) PUBLICATION OF APPOINTMENT WAIT TIMES.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall publish on a publicly accessible Internet website of each military medical treatment facility that offers a category or subcategory of health care covered by the standards under subsection (b)(2) the average wait-time for a covered beneficiary for an appointment for health care under the TRICARE program, whether received at military medical treatment facilities or from health care providers with which a contract has been entered into under such program.

(2) MODIFICATIONS.—Whenever there is a modification of a wait-time for a category or subcategory of health care published under this subsection, the Secretary shall publish on a publicly accessible Internet website of each military medical treatment facility that provides that category or subcategory of health care the modified wait-time for such category or subcategory of health care.

(3) EXCEPTIONS.—In this section, the term ‘‘covered beneficiary’’ and ‘‘TRICARE program’’ have the meaning given such terms in section 1072 of title 10, United States Code.

SEC. 712. PORTABILITY OF HEALTH PLANS UNDER THE TRICARE PROGRAM.

(a) HEALTH PLAN PORTABILITY.—

(1) IN GENERAL.—The Secretary of Defense shall ensure that covered beneficiaries under the TRICARE program who are covered under a health plan under such program are also covered under such health plan after the date of the enactment of this Act.
In carrying out subsection (a), the Secretary shall do the following:

(1) Provide for the automatic electronic transmission and enrollment of claims information between the contractors responsible for administering the TRICARE program in each TRICARE region where covered beneficiaries are anticipated to be needed by the Department.

(2) Ensure that such information is made available on the primary Internet website of the Department that is available to the public; and

(3) Incorporate into such tools new or updated standards of care with respect to methods of contraception and counseling on methods of contraception, and evidence-based standards of care with respect to methods of contraception and counseling on methods of contraception.

(c) PLAN FOR DEVELOPMENT OF PROCEDURES TO MEASURE MENTAL HEALTH DATA.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a plan for the Department of Defense to develop procedures to compile and assess information with respect to outcomes for mental health care provided by the Department.

(1) Outcomes for mental health care provided by the Department.

(2) Variations in such outcomes among different management information systems.

(3) Barriers, if any, to the implementation by mental health care providers of the Department of the clinical practice guidelines and other evidence-based treatments and approaches recommended for such providers by the Secretary.

SEC. 714. COMPREHENSIVE STANDARDS AND ACCESSION TO CARE PROVIDED BY HEALTH CARE PROVIDERS OF THE DEPARTMENT OF DEFENSE FOR MEMBERS OF THE ARMED FORCES.

(a) PURPOSE.—The purpose of this section is to ensure that all health care providers employed by the Department of Defense who provide care for members of the Armed Forces have access to comprehensive contraceptive services.

(b) ASSESSMENT OF MENTAL HEALTH WORKERS.—In general.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a plan for the Department of Defense to develop procedures to compile and assess information with respect to methods of contraception and counseling on methods of contraception, and evidence-based standards of care with respect to methods of contraception.

(c) PROTOCOLS.—Clinical practice guidelines and any updated guidelines shall be disseminated under this paragraph in accordance with administrative protocols developed by the Secretary for that purpose.

(d) DEFINITIONS.—In this section, the terms "clinical practice guidelines," "contraceptive services," and "evidence-based standards of care" shall have the meaning given such terms in section 1022 of the United States Code.

SEC. 713. DISSEMINATION OF CLINICAL DECISION SUPPORT TOOLS THAT REFLECT INTERACTIONS BETWEEN ANTICIPATED DEPLOYMENT AND CLINICAL PRACTICE GUIDELINES.

(a) TRAINING ON RECOGNITION AND MANAGEMENT OF RISK OF SUICIDE.—

(1) INITIAL TRAINING.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall ensure that all primary care and mental health care providers of the Department of Defense receive, or have already received, evidence-based training on the recognition and assessment of individuals at risk for suicide and the management of such risk.

(2) ADDITIONAL TRAINING.—The Secretary shall ensure that providers who receive, or have already received, training described in paragraph (1) receive such additional training on the recognition and assessment of individuals at risk for suicide and the management of such risk.

(b) ASSESSMENT OF MENTAL HEALTH WORKFORCE.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report assessing the mental health workforce of the Department of Defense and TRICARE primary mental health care needs of members of the Armed Forces and their dependents for purposes of determining the long-term requirements of the Department for mental health care providers.

(2) ELEMENTS.—The report submitted under paragraph (1) shall include an assessment of the following:

(A) The number of mental health care providers of the Department of Defense as of the date of the enactment of this Act.

(B) The number of mental health care providers of the Department of Defense as of the date of the enactment of this Act, disaggregated by specialty, including psychiatrists, psychologists, social workers, mental health counselors, and marriage and family therapists.

(C) The number of mental health care providers that are anticipated to be needed by the Department.

(D) Locations in which mental health care providers are anticipated to be needed by the Department.

(E) Variations in the treatment of mental health care needs among TRICARE beneficiaries.

(F) The American College of Obstetricians and Gynecologists.

(G) The Association of Reproductive Health Professionals.

(H) The American Academy of Family Physicians.

(I) The American Medical Association.


(k) The Association of Women's Health, Obstetric, and Reproductive Politics.


(m) The American Psychological Association.

(n) The Association of Women's Health, Obstetric, and Reproductive Politics.

(p) The American Academy of Family Physicians.

(q) The American Psychological Association.

(r) The Association of Women's Health, Obstetric, and Reproductive Politics.

(s) The American Academy of Family Physicians.

(t) The American Psychological Association.

(u) The Association of Women's Health, Obstetric, and Reproductive Politics.

(v) The American Academy of Family Physicians.

(w) The American Psychological Association.

(x) The Association of Women's Health, Obstetric, and Reproductive Politics.

(y) The American Academy of Family Physicians.

(z) The American Psychological Association.

(aa) The Association of Women's Health, Obstetric, and Reproductive Politics.

(bb) The American Academy of Family Physicians.


(dd) The Association of Women's Health, Obstetric, and Reproductive Politics.

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(hh) The American Academy of Family Physicians.


(jj) The Association of Women's Health, Obstetric, and Reproductive Politics.

(kk) The American Academy of Family Physicians.

(ll) The American Psychological Association.

(mm) The Association of Women's Health, Obstetric, and Reproductive Politics.


(pp) The Association of Women's Health, Obstetric, and Reproductive Politics.

(qq) The American Academy of Family Physicians.


(ss) The Association of Women's Health, Obstetric, and Reproductive Politics.

(tt) The American Academy of Family Physicians.


(vv) The Association of Women's Health, Obstetric, and Reproductive Politics.

(ww) The American Academy of Family Physicians.


(yy) The Association of Women's Health, Obstetric, and Reproductive Politics.

(zz) The American Academy of Family Physicians.

(1) The American Psychological Association.

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(rr) The American Academy of Family Physicians.


(tt) The Association of Women's Health, Obstetric, and Reproductive Politics.

(uu) The American Academy of Family Physicians.


(xx) The Association of Women's Health, Obstetric, and Reproductive Politics.

(yy) The American Academy of Family Physicians.

used in education programs on family planning for all members of the Armed Forces, including both men and women members.

(2) SENSE OF CONGRESS.—It is the sense of Congress that, in determining the position as a military medical or dental position, consistent with Department of Defense Instruction 7001.04.

(3) ELEMENTS.—The uniform standard curriculum under paragraph (1) shall include the following:

(A) Information for members of the Armed Forces on active duty to make informed decisions regarding family planning.

(B) Information about the prevention of unintended pregnancies and sexually transmitted infections, including human immunodeficiency virus (HIV).

(C) Information on the importance of providing comprehensive family planning for members of the Armed Forces, and their commanding officers, and on the positive impact family planning can have on the health and readiness of the Armed Forces.

(D) Current, medically accurate information.

(E) Clear, user-friendly information on the full range of contraceptive choices and where members of the Armed Forces can access their chosen method of contraception.

(F) Information on all applicable laws and policies so that members are informed of their rights and obligations.

(G) Information on patients’ rights to confidentiality.

(H) Information on the unique circumstances encountered by members of the Armed Forces, and the effects of such circumstances on the use of contraception.

SEC. 716. DESIGNATION OF CERTAIN NON-DEPARTMENT MENTAL HEALTH CARE PROVIDERS WITH KNOWLEDGE RELATING TO TREATMENT OF MEMBERS OF THE ARMED FORCES.

(a) MENTAL HEALTH PROVIDER READINESS DESIGNATION.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall establish a system by which any non-Department mental health care provider that meets eligibility criteria established by the Secretary relating to the knowledge described in paragraph (2) receives a mental health provider readiness designation from the Department of Defense.

(2) KNOWLEDGE DESCRIBED.—The knowledge described in this paragraph is the following:

(A) Knowledge and understanding with respect to the culture of members of the Armed Forces and family members of the caregivers of members of the Armed Forces.

(B) Knowledge with respect to evidence-based treatments that have been approved by the Department of Defense or the listing on the ready list of the Armed Forces of mental health issues among members of the Armed Forces.

(c) NON-DEPARTMENT MENTAL HEALTH CARE PROVIDER LIST.—The Secretary shall update all lists maintained by the Secretary of non-Department mental health care providers that provide mental health care under the laws administered by the Secretary by indicating the providers that are currently designated under subsection (a)(1).

(d) COVERAGE.—The term ‘military essential’, with respect to a mental or dental position, means a position that the position must be held by a member of the armed forces, as determined in accordance with regulations prescribed by the Secretary.

(3) Conversion of the position to a civilian medical or dental position, means a change of the position to a civilian medical or dental position, effective as of the date of conversion of the position to a civilian medical or dental position, consistent with Department of Defense making the change (through a change in designation from military to civilian in the document, the elimination of the military position in the document, or through any other means indicating the change in the document or otherwise).

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 49 of title 32, United States Code, is amended by inserting after the item relating to section 1095g the following new item:

"1095g. TRICARE program; waiver of recoupment of erroneous payments due to administrative error."

(c) REPEAL OF RELATED PROHIBITION.—Section 721 of the National Defense Authorization Act for Fiscal Year 2008 (10 U.S.C. 1296 note) is repealed.

SEC. 717. EXTENSION OF AUTHORITY FOR JOINT DEPARTMENT OF DEFENSE-MPME FACILITY DEMONSTRATION FUND.


SEC. 718. EXTENSION OF AUTHORITY FOR DODD VA HEALTH CARE SHARING INCENTIVE FUND.

Section 811(d)(3) of title 38, United States Code, is amended by striking "September 30, 2015" and inserting "September 30, 2020".

SEC. 720. PILOT PROGRAM ON INCENTIVE PROGRAMS TO IMPROVE QUALITY OF HEALTH CARE PROVIDED UNDER THE TRICARE PROGRAM.

(a) PILOT PROGRAM.—The Secretary of Defense shall carry out a pilot program to assess whether a reduction in the rate of increase in health care spending by the Department of Defense and the rate of the operation of the military health system may be achieved by developing and implementing value-based incentive programs to encourage health care providers under the TRICARE program (including physicians, hospitals, and others involved in providing health care to patients) to improve the following:

(1) The quality of care provided to covered beneficiaries under the TRICARE program.
(2) The experience of covered beneficiaries in receiving health care under the TRICARE program;

(3) The health of covered beneficiaries.

(b) Incentive Programs—

(1) DEVELOPMENT.—In developing an incentive program under this section, the Secretary shall—

A. consider the characteristics of the population of covered beneficiaries affected by the incentive program;

B. consider how the incentive program would impact the receipt of health care under the TRICARE program by such covered beneficiaries;

C. establish or maintain a reasonable assurance that covered beneficiaries will have timely access to health care during operation of the incentive program;

D. ensure that there are no additional financial costs to such covered beneficiaries of implementing the incentive program; and

E. consider such other factors as the Secretary considers appropriate.

(2) ELEMENTS.—With respect to an incentive program developed and implemented under this section, the Secretary shall—

A. the size, scope, and duration of the incentive program is reasonable in relation to the purpose of the incentive program; and

B. availability and data collected are used to ensure adequate evaluation of the feasibility and advisability of implementing the incentive program throughout the TRICARE program.

(3) USE OF EXISTING MODELS.—In developing an incentive program under this section, the Secretary may adapt a value-based incentive program developed by the Centers for Medicare & Medicaid Services or any other governmental or commercial health care program.

(c) TERMINATION.—The authority of the Secretary to carry out the pilot program under this section shall terminate on December 31, 2019.

(d) REPORT.—Not later than March 15, 2019, the Secretary shall submit to the Congress a report on the operation and effect of the incentive programs developed and implemented under this section.

SEC. 732. PUBLICATION OF DATA ON PATIENT SAFETY, QUALITY OF CARE, SATISFACTION, AND HEALTH OUTCOME MEASURES UNDER THE TRICARE PROGRAM.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Defense shall publish on an Internet website of the Department of Defense that is accessible to the public data on all measures used by the Department to assess patient safety, quality of care, patient satisfaction, and health outcomes for health care provided under the TRICARE program at each military medical treatment facility.

(b) UPDATES.—Not later than each March 15, the Secretary shall publish an update to the data published under subsection (a) and for which the Secretary has completed the collection and analysis of data required under subsection (a).

(c) ACCESSIBILITY.—Not later than each March 15, the Secretary shall ensure that the data published under subsection (a) is accessible to the public through the primary Internet website of the Department of Defense and the primary Internet website of the military medical treatment facility.

(d) TRICARE PROGRAM DEFINED.—In this section, the term “TRICARE program” has the meaning given to such term in section 1072 of title 10, United States Code.

SEC. 733. ANNUAL REPORT ON PATIENT SAFETY, QUALITY OF CARE, AND ACCESS TO CARE AT MILITARY MEDICAL TREATMENT FACILITIES.

(a) IN GENERAL.—Not later than March 1 each year beginning in 2016, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a comprehensive report setting forth the current and future plans of the Secretary, with estimated dates of completion, to carry out the following:

(A) To improve the experience of beneficiaries with health care provided in military medical treatment facilities and through purchased care.

(B) To eliminate performance variability with respect to the provision of such health care.

(b) ELEMENTS.—The comprehensive report required by paragraph (a) shall include the plans of the Secretary of Defense, in consultation with the Secretaries of the military departments, as follows:

(1) To align performance measures for health care provided in military medical treatment facilities with performance measures for health care provided through purchased care.

(2) To improve underperformance in the provision of health care by the Department of Defense by eliminating variability with respect to the provision of health care in military medical treatment facilities and through purchased care.

(3) To use innovative, high-technology services to improve access to care, coordination of care, and the experience of care in military medical treatment facilities and through purchased care.

(4) To report on patient safety, quality of care, and access to care at military medical treatment facilities.

(5) To align performance measures for health care provided in military medical treatment facilities with performance measures for health care provided through purchased care.

SEC. 734. REPORT ON PLANS TO IMPROVE EXPERIENCE WITH AND ELIMINATE PERFORMANCE VARIABILITY OF HEALTH CARE PROVIDED BY THE DEPARTMENT OF DEFENSE.

(a) COMPREHENSIVE REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a comprehensive report setting forth the current and future plans of the Secretary, with estimated dates of completion, to carry out the following:

(A) To improve the experience of beneficiaries with health care provided in military medical treatment facilities and through purchased care.

(B) To eliminate performance variability with respect to the provision of such health care.

(b) ELEMENTS.—The comprehensive report required by paragraph (a) shall include the plans of the Secretary of Defense, in consultation with the Secretaries of the military departments, as follows:

(1) To align performance measures for health care provided in military medical treatment facilities with performance measures for health care provided through purchased care.

(2) To improve underperformance in the provision of health care by the Department of Defense by eliminating variability with respect to the provision of health care in military medical treatment facilities and through purchased care.

(3) To use innovative, high-technology services to improve access to care, coordination of care, and the experience of care in military medical treatment facilities and through purchased care.

(4) To report on patient safety, quality of care, and access to care at military medical treatment facilities.

(5) To align performance measures for health care provided in military medical treatment facilities with performance measures for health care provided through purchased care.

(6) To improve the experience of beneficiaries with health care provided in military medical treatment facilities and through purchased care.

(7) To eliminate performance variability with respect to the provision of such health care.

(8) To report on patient safety, quality of care, and access to care at military medical treatment facilities.
provided in military medical treatment facilities and through purchased care to improve the quality of such care, patient safety, and patient satisfaction.

(E) To develop appropriate metrics for access to care, quality of care, safety, and patient satisfaction, that holds medical centers throughout the Department personally accountable for sustained improvement of performance.

(F) To use such other methods as the Secretary of Defense determines appropriate to improve the experience of beneficiaries with and eliminate performance variability with respect to health care received from the Department.

(G) A report submitted by the Secretary of Defense shall be transmitted to the Committees on Armed Services of the Senate and the House of Representatives a report on the plans of the Secretary of Defense set forth in the comprehensive report submitted under such subsection.

(H) ELEMENTS.—The report required by section 709(a) shall include the following:

(a) A description of whether the experience of beneficiaries in any military treatment facility has improved.

(b) A description of the extent to which the Department of Defense has adequately budgeted amounts to fund the carrying out of such plans.

(c) DEFINITIONS.—In this section:

(1) The term "purchased care" means health care provided pursuant to a contract entered into between the Secretary of Defense and a person or organization for services that will have primary responsibility for the delivery of such services.

(2) The term "TRICARE program" means the TRICARE program for beneficiaries under the TRICARE program.

(3) The term "purchased care program" means a program carried out under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) by the Department of Health and Human Services for children of members of the Armed Forces before enlistment or accession to the Armed Forces.

(4) The term "TRICARE program for such children" means the TRICARE program for such children.

(5) The term "national" means including the National Institute for Mental Health of the National Institutes of Health.

(6) The term "military treatment facility" means a military treatment facility.

(7) The term "early and periodic" means including the Early and Periodic Screening, Diagnosis, and Treatment program under the Medicaid program carried out under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.), and

(8) The term "TRICARE program for such children" means the TRICARE program for such children.

(9) The term "purchased care program" means a program carried out under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) by the Department of Health and Human Services for children of members of the Armed Forces before enlistment or accession to the Armed Forces.

(b) In General.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall document the results of such study and submit to the Committees on Armed Services of the Senate and the House of Representatives a comprehensive report of such study setting forth a plan of the Department to implement the program.

(c) In General.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the use by the Department of Defense of metrics with respect to the quality of care provided at military treatment facilities.

(d) In General.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the use by the Department of Defense of metrics with respect to the quality of care provided at military treatment facilities.

(e) In General.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the use by the Department of Defense of metrics with respect to the quality of care provided at military treatment facilities.

(f) In General.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the use by the Department of Defense of metrics with respect to the quality of care provided at military treatment facilities.

(g) In General.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the use by the Department of Defense of metrics with respect to the quality of care provided at military treatment facilities.

(h) In General.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the use by the Department of Defense of metrics with respect to the quality of care provided at military treatment facilities.

(i) In General.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the use by the Department of Defense of metrics with respect to the quality of care provided at military treatment facilities.

(j) In General.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the use by the Department of Defense of metrics with respect to the quality of care provided at military treatment facilities.

(k) In General.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the use by the Department of Defense of metrics with respect to the quality of care provided at military treatment facilities.

(l) In General.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the use by the Department of Defense of metrics with respect to the quality of care provided at military treatment facilities.

(m) In General.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the use by the Department of Defense of metrics with respect to the quality of care provided at military treatment facilities.

(n) In General.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the use by the Department of Defense of metrics with respect to the quality of care provided at military treatment facilities.

(o) In General.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the use by the Department of Defense of metrics with respect to the quality of care provided at military treatment facilities.

(p) In General.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the use by the Department of Defense of metrics with respect to the quality of care provided at military treatment facilities.

(q) In General.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the use by the Department of Defense of metrics with respect to the quality of care provided at military treatment facilities.

(r) In General.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the use by the Department of Defense of metrics with respect to the quality of care provided at military treatment facilities.

(s) In General.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the use by the Department of Defense of metrics with respect to the quality of care provided at military treatment facilities.

(t) In General.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the use by the Department of Defense of metrics with respect to the quality of care provided at military treatment facilities.

(u) In General.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the use by the Department of Defense of metrics with respect to the quality of care provided at military treatment facilities.

(v) In General.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the use by the Department of Defense of metrics with respect to the quality of care provided at military treatment facilities.

(w) In General.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the use by the Department of Defense of metrics with respect to the quality of care provided at military treatment facilities.

(x) In General.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the use by the Department of Defense of metrics with respect to the quality of care provided at military treatment facilities.

(y) In General.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the use by the Department of Defense of metrics with respect to the quality of care provided at military treatment facilities.

(z) In General.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the use by the Department of Defense of metrics with respect to the quality of care provided at military treatment facilities.
(b) A notice under this paragraph shall be provided in consultation with the Director of the Office of Management and Budget.

(5) TIME FOR TRANSITIONING TO NORMAL ACQUISITION SYSTEM.—Any acquisition initiated under this subsection after two years to the normal acquisition system not later than two years after the date on which the Secretary makes the determination described in paragraph (1) may be exercised only by the Secretary or Deputy Secretary of Defense.

SEC. 803. MIDDLE TIER OF ACQUISITION FOR RAPID PROTOTYPING AND RAPID FIELDING.

(a) GUIDANCE REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition, Technology, and Logistics, in consultation with the Comptroller of the Department of Defense and the Vice Chairman of the Joint Chiefs of Staff, shall establish guidance for a "middle tier" of acquisition programs that are intended to be completed in a period of two to five years.

(b) ACQUISITION PATHWAYS.—The guidance required by paragraph (1) may include the following two acquisition pathways:

(1) RAPID PROTOTYPING.—The rapid prototyping pathway shall provide for the use of a "middle tier" of acquisition programs to develop fieldable prototypes to demonstrate new capabilities and meet emerging military needs.
(c) System Manual and Department of Defense guidance shall not be subject to the Joint Chiefs of Staff and the combatant commanders. Under this pathway shall be to begin production within six months and complete fielding within five years of the development of an approved requirement.

(2) RAPID FIELDING.—The rapid fielding pathway shall provide for the use of proven technologies to field production quantities of new or upgraded systems with minimal development required. The objective of an acquisition program under this pathway shall be to begin production within six months and complete fielding within five years of the development of an approved requirement.

(c) EXPEDITED PROCESS.—

(1) IN GENERAL.—The guidance required by subsection (a) shall provide for streamlined and coordinated requirements, budget, and acquisition process that results in the development of an approved requirement for each program during the period of not more than six months from the time that the process is initiated. Programs that are subject to the guidance shall not be subject to the Joint Capabilities Integration and Development System Manual and Department of Defense Directive 5000.01, except to the extent specifically excluded by the guidance.

(2) RAPID PROTOTYPING.—With respect to the rapid prototyping pathway, the guidance shall include—

(A) a merit-based process for the consideration of innovative technologies and new capabilities to meet needs communicated by the Joint Chiefs of Staff and the combatant commanders;

(B) a process for developing and implementing acquisition and funding strategies for the program;

(C) a process for cost-sharing with the military departments on rapid prototype projects, to ensure an appropriate commitment to the success of such projects;

(D) a process for demonstrating and evaluating the performance of fieldable prototypes developed pursuant to the program in an operational environment; and

(E) a process for transitioning successful prototypes to new or existing acquisition programs for production and fielding under the rapid fielding pathway or the traditional acquisition system.

(3) RAPID FIELDING.—With respect to the rapid fielding pathway, the guidance shall include—

(A) a merit-based process for the consideration of existing products and proven technologies to meet needs communicated by the Joint Chiefs of Staff and the combatant commanders;

(B) a process for demonstrating performance and evaluating for current operational purposes the proposed products and technologies;

(C) a process for developing and implementing acquisition and funding strategies for the program;

(D) a process for considering lifecycle costs and addressing issues of logistics support and system interoperability;

(E) STREAMLINED PROCEDURES.—The guidance for the programs may provide for any of the following streamlined procedures:

(A) The service acquisition executive of the military department concerned shall establish funds that may be available for acquisition program development and the program management executive shall consider the extent to which the manager has achieved the objectives of the program for which the manager is responsible, including quality, timeliness, and cost objectives.

(B) The program manager of a defense streamlined program shall be authorized to retain with the staff, including experts in business management, contracting, auditing, engineering, testing, and logistics, to manage the program without the technical assistance of another organizational unit of an agency to the maximum extent practicable.

(C) The program manager of a defense streamlined program shall be authorized to include the users of the equipment and capability to be acquired and the test community, to make trade-offs among lifecycle costs, requirements, and schedules to meet the goals of the program.

(D) The service acquisition executive, acting in coordination with the defense acquisition and budget decision authorities, shall determine whether a streamlined program shall be authorized, in coordination with the users of the equipment and capability to be acquired and the test community, to make trade-offs among lifecycle costs, requirements, and schedules to meet the goals of the program.

(E) The program manager of a defense streamlined program shall be authorized, in coordination with the users of the equipment and capability to be acquired and the test community, to make trade-offs among lifecycle costs, requirements, and schedules to meet the goals of the program.

(F) The acquisition process, acting in coordination with the defense acquisition and budget decision authorities, shall determine whether a streamlined program shall be authorized, in coordination with the users of the equipment and capability to be acquired and the test community, to make trade-offs among lifecycle costs, requirements, and schedules to meet the goals of the program.

(G) The program manager of a defense streamlined program shall be authorized, in coordination with the users of the equipment and capability to be acquired and the test community, to make trade-offs among lifecycle costs, requirements, and schedules to meet the goals of the program.

(H) The acquisition process, acting in coordination with the defense acquisition and budget decision authorities, shall determine whether a streamlined program shall be authorized, in coordination with the users of the equipment and capability to be acquired and the test community, to make trade-offs among lifecycle costs, requirements, and schedules to meet the goals of the program.

(2) CONGRESSIONAL RECORD — SENATE

CONGRESSIONAL RECORD — SENATE
in the year prior to the date of that agreement are cooperative agreements or transactions that were entered into under this section or section 2371 of this title.

"(B) The head of a party, other entity, or subordinate element referred to in subparagraph (A) that the Comptroller General may examine in the exercise of the right to examine under the authority of chapter 37 of title 31, or under such procedures, terms, and conditions as the Secretary of Defense may establish by regulation.

"(C) The senior procurement executive for the agency may examine in the exercise of the right to examine under the authority of the Federal Government has had the right to examine under the authority of chapter 37 of title 31, or under such procedures, terms, and conditions as the Secretary of Defense may establish by regulation.

"(D) The term 'nontraditional defense contractor' has the meaning given the term "nontraditional defense contractor" as defined under section 2302(9) of this title.

"(2) A follow-on production contract or transactions provided for in a transaction under paragraph (1) may be awarded to the contractor(s) the definition of nontraditional defense contractor as established under subsection (a) and recommendations for any legislation necessary to meet the objectives set forth in subsection (a) and to implement the guidelines established under such subsection.

"(3) The term "nontraditional defense contractor' with respect to a procurement or transaction means an entity relating to section 2371a the following new item:

"(A) The term 'nontraditional defense contractor' has the meaning given the term "nontraditional defense contractor" as defined under section 2302(9) of this title.

"(B) The term "nontraditional defense contractor' with respect to a procurement or transaction has the meaning given the term "nontraditional defense contractor" as defined under section 2302(9) of this title.

"(3) The term "nontraditional defense contractor' with respect to a procurement or transaction means an entity relating to section 2371a the following new item:

"(A) The term 'nontraditional defense contractor' has the meaning given the term "nontraditional defense contractor" as defined under section 2302(9) of this title.

"(B) The term 'nontraditional defense contractor' has the meaning given the term "nontraditional defense contractor" as defined under section 2302(9) of this title.

"(3) The term "nontraditional defense contractor' with respect to a procurement or transaction means an entity relating to section 2371a the following new item:

"(A) The term 'nontraditional defense contractor' has the meaning given the term "nontraditional defense contractor" as defined under section 2302(9) of this title.

"(B) The term 'nontraditional defense contractor' has the meaning given the term "nontraditional defense contractor" as defined under section 2302(9) of this title.

"(3) The term "nontraditional defense contractor' with respect to a procurement or transaction means an entity relating to section 2371a the following new item:

"(A) The term 'nontraditional defense contractor' has the meaning given the term "nontraditional defense contractor" as defined under section 2302(9) of this title.

"(B) The term 'nontraditional defense contractor' has the meaning given the term "nontraditional defense contractor" as defined under section 2302(9) of this title.
SEC. 806. ACQUISITION AUTHORITY OF THE COMMANDER OF THE UNITED STATES CYBER COMMAND.

(a) AUTHORITY.—

(1) IN GENERAL.—The Commander of the United States Cyber Command shall be responsible for, and shall have the authority to conduct, the following acquisition activities:

(A) A history of each current acquisition program;

(B) A description of the time or manner in which the underlying purpose of the law or regulation to be waived would be addressed.

(2) NON-DELEGATION.—The authority of the Secretary to waive provisions of laws and regulations under subsection (a) is non-delegable.

SEC. 807. ACQUISITION AUTHORITY OF THE COMMANDER.

(a) AUTHORITY.—

(1) IN GENERAL.—The Secretary of Defense shall notify the congressional defense committees at least 30 days before exercising the waiver authority under subsection (a). Each such notice shall include:

(A) an explanation of the basis for determining that the acquisition of the capability is in the vital national security interest of the United States;

(B) an identification of each provision of law or regulation to be waived; and

(C) subject to the same oversight as the service acquisition executives; and

(D) included on the distribution list for acquisition directives and instructions of the Department of Defense.

(b) ACQUISITION PERSONNEL.—

(1) IN GENERAL.—The Secretary of Defense shall—

(A) provide the United States Cyber Command with personnel and funding equivalent to ten full-time equivalent personnel to support the Commander in fulfilling the acquisition responsibilities provided for under this section with experience in—

(B) program acquisition; and

(C) system engineering; and

(2) EXISTING PERSONNEL.—The personnel provided under this subsection shall be provided from among the existing personnel of the United States Cyber Command.

(c) REPORT TO CONGRESS.—The Secretary shall include requests for funding for—

(A) a program acquisition; and

(B) an explanation of the basis for determining that the acquisition of the capability is in the vital national security interest of the United States; and

(C) the Joint Capabilities Integration and Development System Process;

(d) PROGRAM ACQUISITION.—

(1) IN GENERAL.—The Secretary of Defense shall notify the congressional defense committees at least 30 days before exercising the waiver authority under subsection (a). Each such notice shall include:

(A) an explanation of why the application of the waiver would impede the acquisition in a manner that would undermine the national security of the United States; and

(B) a description of the time or manner in which the underlying purpose of the law or regulation to be waived would be addressed.

(e) NON-DELEGATION.—The authority of the Secretary to waive provisions of laws and regulations under subsection (a) is non-delegable.

SEC. 808. ADVISORY PANEL ON STREAMLINING ACQUISITION ACTIVITIES.

(a) ESTABLISHMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall establish an advisory panel on streamlining acquisition activities for the United States Cyber Command.

(b) MEMBERSHIP.—The membership shall be composed of at least nine individuals who are recognized experts in acquisition and procurement policy. In making appointments to the advisory panel, the Under Secretary shall ensure that the members of the panel reflect diverse experiences in the public and private sectors.

(c) DUTIES.—The panel shall—

(1) review the acquisition regulations applicable to the Department of Defense with a view toward streamlining and improving the efficiency and effectiveness of the defense acquisition system and maintaining defense technology advantage; and

(2) make any recommendations for the amendment or repeal of such regulations that the panel considers necessary, as a result of such review, to—

(A) establish and administer appropriate buyer and seller relationships in the procurement system; and

(B) improve the functioning of the acquisition system;

(d) REPORT TO CONGRESS.—The Secretary of Defense shall submit a report to or brief the appropriate committees of the Congress with respect to the activities of the advisory panel established pursuant to section (a).

(e) ELIMINATION OF FACA REQUIREMENTS.—The requirements of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the advisory panel established pursuant to subsection (a).

(f) CYBER OPERATIONS PROCUREMENT FUND.—There is authorized to be appropriated for each of fiscal years 2016 through 2021, out of funds made available for procurement, $75,000,000 for a Cyber Operations Procurement Fund to support acquisition activities provided for under this section.

(g) REPORT.—(1) PANEL REPORT.—Not later than two years after the date on which the Secretary of Defense establishes the advisory panel, the panel shall transmit a final report to the Secretary.

(2) ELEMENTS.—The final report shall contain a detailed statement of the findings and conclusions of the panel, including—

(A) a history of each current acquisition regulation and a recommendation as to whether the regulation and related law (if applicable) should be retained, modified, or repealed; and

(B) such additional recommendations for legislation as the panel considers appropriate.

(3) INTERIM REPORTS.—(A) Not later than 6 months and 18 months after the date of the enactment of this Act, the Secretary of Defense shall submit a report to or brief the congressional defense committees on the interim findings of the panel with respect to the elements set forth in paragraph (2).

(B) The panel shall provide regular updates to the Secretary of Defense for purposes of providing the interim reports required under this paragraph.

(4) FINAL REPORT.—Not later than 30 days after receiving the final report of the advisory panel, the Secretary of Defense shall transmit the final report, together with such comments as the Secretary determines appropriate, to the congressional defense committees.

(f) DEFENSE ACQUISITION WORKFORCE DEVELOPMENT FUND SUPPORT.—The Secretary of Defense may use amounts available in the Department of Defense Acquisition Workforce Development Fund established under section 1956 of title 10, United States Code, to support activities of the advisory panel under this section.
SEC. 809. REVIEW OF TIME-BASED REQUIREMENTS PROCESS AND BUDGETING AND ACQUISITION SYSTEMS.

(a) Time-Based Requirements Process.—The Secretary of Defense and the Chairman of the Joint Chiefs of Staff shall review the requirements process with the goal of establishing an agile and streamlined system that develops requirements that provide stability and foundational direction for acquisition programs. The requirements system should be informed by technological market research and provide a time-based or phased distinction between capabilities needed to be deployed within 2 years, within 5 years, and longer than 5 years.

(b) Budgeting and Acquisition Systems.—The Secretary shall review and ensure that the acquisition and budgeting systems are structured to meet time-based or phased requirements in a manner that is predictable, cost effective, and efficient and takes advantage of emerging technological developments. The Secretary shall make all necessary changes in regulation and policy to achieve time-based or phased requirements, budgeting, and acquisition system and shall identify and report to Congress within 180 days after the date of the enactment of this Act on any necessary impediments to achieving such a system.

SEC. 810. IMPROVEMENT OF PROGRAM AND PROCUREMENT MANAGEMENT BY THE DEPARTMENT OF DEFENSE.

(a) Department-Wide Responsibilities of Secretary of Defense.—In fulfilling the responsibilities under chapter 87 of title 10, United States Code, the Secretary of Defense shall—

(1) develop Department-wide standards, policies, and guidelines for program and project management for the Department of Defense based on appropriate and applicable nationally accredited standards for program and project management;

(2) develop polices to monitor compliance with the standards, policies, and guidelines developed under paragraph (1); and

(3) engage with the private sector on matters relating to program and project management for the Department.

(b) Responsibilities of USD (AT&L).—In fulfilling the responsibilities under chapter 87 of title 10, United States Code, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall—

(1) advise and assist Secretary of Defense with respect to Department of Defense policies related to program and project management;

(2) review programs identified as high-risk in program and project management by the Government Accountability Office, and make recommendations for actions to be taken by the Secretary to mitigate such risks;

(3) assess matters of importance to the workforce in program and project management, including—

(A) career development and workforce development;

(B) policies to support continuous improvement in program and project management; and

(C) major challenges of the Department in managing programs and projects; and

(4) advise on the development and applicability of standards Department-wide for program and project management.

(c) Responsibilities of Acquisition Executives.—In fulfilling the responsibilities under chapter 87 of title 10, United States Code, for the military departments, the service acquisition executives (in consultation with the Chiefs of the Armed Forces with respect to program managers) and the component acquisition executives for the Defense Agencies, shall—

(1) ensure the compliance of the department or Agency concerned with standards, policies, and guidelines for program and project management for the Department of Defense developed by the Secretary of Defense under subsection (a)(1); and

(2) ensure the effective career development of program managers through—

(A) training and educational opportunities for program managers, including exchange programs with the private sector;

(B) mentoring of current and future program managers within the public and private sector senior executives and program managers;

(C) continued refinement of career paths and career opportunities for program managers;

(D) incentives for the recruitment of highly qualified individuals to serve as program managers;

(E) improved methods of collecting and disseminating best practices and lessons learned to enhance program management; and

(F) improved methods to support improved data gathering and analysis for program management and oversight purposes.

(d) Defense Acquisition Mission Analysis Teams.—In carrying out the responsibilities under subsection (a)(1), the Secretary of Defense shall—

(1) establish and maintain a Defense Acquisition Mission Analysis Team to review the acquisitions, and develop and execute data strategies to support Department of Defense acquisition management and oversight purposes.

SEC. 821. PREFERENCE FOR FIXED-PRICE CONTRACTS IN DETERMINING CONTRACT FORM FOR DEVELOPMENT PROGRAMS.

(a) Establishment of Preference.—Not later than 180 days after the date of the enactment of this Act, the Defense Federal Acquisition Regulation Supplement shall be revised to establish a preference for fixed-price contracts, including fixed-price incentive fee contracts, in the determination of contract type for development programs.

(b) Technical and Conforming Changes.—Section 8707 of the National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2329) is amended—

(1) in paragraph (1)—

(A) by striking ''.or'' each place it appears and inserting ''.or''; and

(B) by striking ''. or'' each place it appears and inserting ''. or'';

(2) by striking the second sentence.

SEC. 822. APPLICABILITY OF COST AND PRICING DATA AND CERTIFICATION REQUIREMENTS.

Section 2306a(b)(1) of title 10, United States Code, is amended—

(1) in subparagraph (B), by striking ''. or'' and inserting a semicolon;

(2) in subparagraph (C), by striking the period at the end and inserting ''. or''; and

(3) by adding at the end the following new subparagraph:

“(D) to the extent such data relates to an offset agreement in connection with a contract for the sale of a weapon system or defense-related item to a foreign country or foreign firm.”

SEC. 823. RISK-BASED CONTRACTING FOR SMALLER CONTRACT ACTIONS UNDER THE TRUTH IN NEGOTIATIONS ACT.

(a) Increase in Thresholds.—Subsection (a) of section 2306a of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking “December 5, 1990” and inserting “January 15, 2016”;

(b) by striking “$500,000” each place it appears and inserting “$5,000,000”;

(C) by striking “$100,000” each place it appears and inserting “$500,000”;

(b) Based on subsection (c) of such section is amended to read as follows:

(1) AUTHORITY TO REQUIRE SUBMISSION.—Subject to paragraph (4), when certified cost or pricing data are not required to be submitted under subsection (a), the head of the procuring activity shall—

(A) determine that such data are necessary for the evaluation by the agency of the reasonableness of the price of the contract, subcontract, or modification of a contract or subcontract; or

(B) require the submission of such data in accordance with a contracting approach established pursuant to paragraph (7).

(2) Written Determination Required.—In any case in which the head of the procuring activity requires certified cost or pricing data to be submitted under paragraph (1)(A), the head of the procuring activity shall—

(A) determine that such data are necessary for the evaluation by the agency of the reasonableness of the price of the contract, subcontract, or modification of a contract or subcontract; or

(B) require the submission of such data in accordance with a contracting approach established pursuant to paragraph (7).

(3) Written Determination Required.—In any case in which the head of the procuring activity requires certified cost or pricing data to be submitted under paragraph (1)(A), the head of the procuring activity shall—

(A) determine that such data are necessary for the evaluation by the agency of the reasonableness of the price of the contract, subcontract, or modification of a contract or subcontract; or

(B) require the submission of such data in accordance with a contracting approach established pursuant to paragraph (7).

(c) Cost or Pricing Data on Below-Threshold Contracts.—(1) Authority to Require Submission.—Subject to paragraph (4), when certified cost or pricing data are not required to be submitted under subsection (a), the head of the procuring activity shall—

(A) determine that such data are necessary for the evaluation by the agency of the reasonableness of the price of the contract, subcontract, or modification of a contract or subcontract; or

(B) require the submission of such data in accordance with a contracting approach established pursuant to paragraph (7).

(2) Written Determination Required.—In any case in which the head of the procuring activity requires certified cost or pricing data to be submitted under paragraph (1)(A), the head of the procuring activity shall—

(A) determine that such data are necessary for the evaluation by the agency of the reasonableness of the price of the contract, subcontract, or modification of a contract or subcontract; or

(B) require the submission of such data in accordance with a contracting approach established pursuant to paragraph (7).

(3) Written Determination Required.—In any case in which the head of the procuring activity requires certified cost or pricing data to be submitted under paragraph (1)(A), the head of the procuring activity shall—

(A) determine that such data are necessary for the evaluation by the agency of the reasonableness of the price of the contract, subcontract, or modification of a contract or subcontract; or

(B) require the submission of such data in accordance with a contracting approach established pursuant to paragraph (7).

(4) Exception.—The head of the procuring activity may not require certified cost or pricing data to be submitted under this subsection for any contract or subcontract, or modification of a contract or subcontract, covered by the exceptions in subparagraph (A) or (B) of subsection (b)(1).

(5) Delegation of Authority Prohibited.—The head of a procuring activity may not delegate functions under this subsection.

SEC. 824. LIMITATION ON USE OF REVERSE AUCTION AND LOWEST PRICE TECHNICALY ACCEPTABLE CONTRACTING METHODS.

Not later than 180 days after the date of the enactment of this Act, the Federal Acquisition Regulation and the Defense Supplement to the Federal Acquisition Regulation shall be amended—

(1) to prohibit the use by the Department of Defense of reverse auction or lowest price technically acceptable contracting methods for the procurement of personal protective equipment where the level of quality or failure of the item could result in combat casualties; and

(2) to establish a preference for the use of best value contracting methods for the procurement of such equipment.

SEC. 825. RIGHTS IN TECHNICAL DATA.

(a) Rights in Technical Data Relating to Major Weapon Systems.—Paragraph (2) of
section 2321(f) of title 10, United States Code, is amended as follows:

"(2) In the case of a challenge to a use or release restriction that is asserted with respect to the use or release of a contractor or subcontractor for a major system or a sub-system or component thereof on the basis that the major weapon system, subsystem, or component was developed exclusively at private expense—

"(A) the presumption in paragraph (1) shall apply;

"(i) with regard to a commercial sub-system or component of a major system, if the major system was acquired as a commercial item in accordance with section 2379(b)(4) of this title;

"(ii) with regard to a component of a sub-system, if the subsystem was acquired as a commercial item in accordance with section 2379(b) of this title; and

"(iii) with regard to any other component, if the component is a commercially available off-the-shelf item or a commercially available off-the-shelf item with modifications of a type customarily available in the commercial marketplace or minor modifications made to meet Federal Government requirements.

"(B) in all other cases, the challenge to the use or release restriction shall be sustained unless information provided by the contractor or subcontractor demonstrates that the item was developed exclusively at private expense.".

(b) GOVERNMENT-INDUSTRY ADVISORY PANEL.—

(1) ESTABLISHMENT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, acting through the Under Secretary, and the Under Secretary for Acquisition, Technology, and Logistics, shall establish a government-industry advisory panel for the purpose of reviewing sections 2320 and 2321 of title 10, United States Code. The panel shall be chaired by an individual selected by the Secretary of Defense and shall report to the congressional defense committees relevant to the missions of the Department of Defense.

(2) MEMBERSHIP.—The panel shall be composed of representatives of—

(A) the government members of the advisory panel, to include experts with knowledge about technical data issues and appropriately represent the three military departments, as well as the legal, acquisition, logistics, and research and development communities in the Department of Defense; and

(B) the private sector members of the advisory panel include independent experts and individuals appropriately representative of the diversity of interested parties, including large and small businesses, traditional and non-traditional defense contractors, prime contractors and subcontractors, suppliers of hardware and software, and institutions of higher education.

(3) SCOPE OF REVIEW.—In conducting the review required by paragraph (1), the advisory panel shall give appropriate consideration to the following factors:

(A) Ensuring that the Department of Defense does not pay more than once for the same work.

(B) Ensuring that Department of Defense contracts are appropriately rewarded for their innovation and invention.

(C) Providing for cost-effective reprocurement, sustainment, modification, and upgradation of Department of Defense systems.

(D) Encouraging the private sector to invest in new products, technologies, and processes relevant to the missions of the Department of Defense.

(E) Ensuring that the Department of Defense has appropriate access to innovative products and technologies, and processes developed by the private sector for commercial use.

(F) FINAL REPORT.—Not later than September 1 of each year, the panel shall submit its final report and recommendations to the Secretary of Defense. Not later than 60 days after receiving the report, the Secretary shall submit a copy of the report, together with any comments or recommendations, to the congressional defense committees.

SEC. 826. PROCUREMENT OF SUPPLIES FOR EXPERIMENTAL PURPOSES.

(a) ADDITIONAL PROCUREMENT AUTHORITY.—

Subsection (a) of section 2373 of title 10, United States Code, is amended by inserting "traffic, energy, medical, space-flight, before and aeronautical supplies"

(b) APPLICABILITY—

(PA) of chapter 137 of title 10, United States Code.

SEC. 827. EXTENSION OF AUTHORITY TO ACQUIRE PRODUCTS AND SERVICES PROVIDED FROM PRIVATE ENTERPRISES ALONG A MAJOR ROUTE OF SUPPLY TO AFGHANISTAN.

Section 810(b) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2399), as most recently amended by section 832(a) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 814), is further amended by striking "December 31, 2015" and inserting "December 31, 2016".

SEC. 828. REPORTING RELATED TO FAILURE OF CONTRACTORS TO MEET GOALS UNDER NEGOTIATED COMPREHENSIVE SMALL BUSINESS SUBCONTRACTING PLANS.

Paragraph (2) of section 834(d) of the National Defense Authorization Act for Fiscal Years 1990 and 1991 (15 U.S.C. 637 note), as added by section 821(d)(2) of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3434) is amended by striking "may not negotiate" and all that follows through the period at the end and inserting "The Congress on any negotiated comprehensive subcontracting plan that the Secretary determined did not meet the subcontracting goals negotiated in the plan for the prior fiscal year.

SEC. 829. COMPETITION FOR RELIGIOUS SERVICES CONTRACTS.

The Department of Defense may not preclude a non-profit organization from competing for a contract for religious related services on a United States military installation.

SEC. 830. TREATMENT OF INTERAGENCY AND STATE AND LOCAL PURCHASES WHEN THE DEPARTMENT OF DEFENSE IS CONTRACTOR INTERMEDIARY FOR THE GENERAL SERVICES ADMINISTRATION.

Contracts entered after October 1, 2015, by the Department of Defense as a result of the transfer of contracts from the General Services Administration or for which the Department serves as an intermediary for products on behalf of the General Services Administration shall not be subject to requirements under chapter 148 of title 10, United States Code, to the extent that such contracts represent purchases of products by other Federal agencies or State or local governments.

SEC. 831. PILOT PROGRAM FOR STREAMLINING AWARDS FOR INNOVATIVE TECHNOLOGY PROJECTS.

(a) EXCEPTION FROM FIXED COST AND PRICING DATA REQUIREMENTS.—The requirements under section 2306(a) of title 10, United States Code, shall not apply to a contract or subcontract valued at less than $7,500,000 awarded to a small business or non-traditional defense contractor pursuant to—

"(1) a technical merit based selection procedure, such as a broad agency announcement; or

"(2) the Small Business Innovation Research Program,

unless the head of the agency determines that submission of cost and pricing data should be required based on past performance of the specific small business or non-traditional defense contractor, or based on analysis of other information specific to the award.

(b) EXCEPTION FROM RECORDS EXAMINATION REQUIREMENTS.—The records exemption under section 2313 of title 10, United States Code, shall not apply to a contract valued at less than $7,500,000 awarded to a small business or non-traditional defense contractor, or based on analysis of other information specific to the award.

(c)ребер.—The records exemption under subsections (a) and (b) shall terminate on October 1, 2020.

Subtitle C—Provisions Relating to Major Defense Acquisition Programs

SEC. 841. ACQUISITION STRATEGY REQUIRED FOR EACH MAJOR DEFENSE ACQUISITION PROGRAM.

(a) CONSOLIDATION OF REQUIREMENTS RELATING TO ACQUISITION STRATEGY.—

(1) IN GENERAL.—Chapter 14 of title 10, United States Code, is amended by inserting after section 8431 the following new section:

"§ 8431a. Acquisition strategy

"(a) REQUIREMENT.—(1) There shall be an acquisition strategy for each major defense acquisition program.

(2) The acquisition strategy for a major defense acquisition program shall be reviewed by the milestone decision authority and the Congress on any negotiated comprehensive subcontracting plan that the Secretary determined did not meet the subcontracting goals negotiated in the plan for the prior fiscal year.

"(b) GUIDANCE.—The Under Secretary of Defense for Acquisition, Technology, and Logistics shall issue policies and procedures governing the contents of, and the review and approval process for, the acquisition strategy for a major defense acquisition program.

"(c) CONTENTS.—The acquisition strategy for a major defense acquisition program shall set a top-down, whole-of-business and technical management approach designed to achieve the objectives of
the program within the resource constraints imposed. The strategy shall be tailored to address program requirements and constraints, and shall express the program manager’s approach to the program in sufficient detail to allow the milestone decision authority to assess the viability of approach, method of implementation of laws and policies, and the sequence of actions. Subject to guidance issued pursuant to subsection (b), each acquisition strategy shall address the following:

(1) An acquisition approach, including industrial base considerations in accordance with section 2440 of this title, and consideration of alternative acquisition approaches.

(2) A strategy addressing the selection of sources, contract types, and small business participation.

(7) An intellectual property strategy, in accordance with section 2309 of this title.

(8) An approach to international involvement, including foreign military sales and cooperative opportunities, in accordance with section 2356a of this title.

(d) In this section, the term ‘milestone decision authority’, with respect to a major defense acquisition program, means the official within the Department of Defense designated with the overall responsibility and authority for acquisition decisions for the program, including authority to approve entry of the program into the next phase of the acquisition process.

(2) CLEARI G AMENDMENT.—The table of sections at the beginning of this chapter is amended by adding at the end the following new item:

“243la. Acquisition strategy.”

(b) CONFORMING AMENDMENTS.—

(1) Section 2360(e) of such title is amended—

(A) in the subsection heading, by striking “document”;

(B) in paragraph (1), by striking “the Under Secretary of Defense for” and all that follows through “of the Board” and inserting “opportunities for such cooperative research and development efforts that may be addressed in the acquisition strategy for the project”; and

(C) in paragraph (2)—

(i) in the matter preceding subparagraph (A)—

(I) by striking ‘‘document’’ and inserting ‘‘discussion’’; and

(II) by striking ‘‘include’’ and inserting ‘‘consider’’;

(ii) in subparagraph (A), by striking ‘‘a statement indicating whether’’ and inserting ‘‘Whether’’;

(iii) in subparagraph (B)—

(I) by striking ‘‘by the Under Secretary of Defense for Acquisition, Technology, and Logistics’’; and

(II) by striking ‘‘of the United States under consideration by the Department of Defense’’; and

(iv) in subparagraph (D)—

(I) by striking ‘‘The’’ and inserting ‘‘A’’; and


SEC. 842. RISK REDUCTION IN MAJOR DEFENSE ACQUISITION PROGRAMS.

(a) GUIDANCE ON RISK REDUCTION IN MAJOR DEFENSE ACQUISITION PROGRAMS.—The Secretary of Defense shall ensure that the acquisition strategy developed pursuant to section 2350d of such title, as added by section 841, for each major defense acquisition program for which development activities are required includes the following elements:

(1) A comprehensive approach to continuously identifying and addressing risk (including technical, cost, and schedule risk) beginning with program initiation and continuing until the start of full rate production as a means to improve programmatic decision making and appropriately minimize and manage program concurrency.

(2) Documentation of the major sources of risk identified and the approach to retiring that risk.

(b) ELEMENTS OF COMPREHENSIVE APPROACH TO RISK REDUCTION.—The comprehensive approach to identifying and addressing risk for purposes of subsection (a)(1) shall include some combination of the following elements as appropriate for the item or system being acquired:

(1) Development planning.

(2) System engineering.

(3) Integrated developmental and operational testing.

(4) Preliminary and critical design reviews and technical reviews.

(5) Prototyping (including prototyping at the system or subsystem level and competitive prototyping, where appropriate).

(6) Model-based systems engineering.

(7) Technology demonstrations and technology off ramps.

(8) Manufacturability and industrial base availability.

(9) Multiple design approaches.

(10) Alternative, lower risk reduced performance designs.

(11) Schedule and funding margins for or specific risks.

(12) Independent risk element assessments by outside subject matter experts.

(13) Program management to address high risk areas as early as possible.

(c) PREFERENCE FOR PROTOTYPING.—To the maximum extent practicable and consistent with the economical use of available financial resources, the milestone decision authority for each major defense acquisition program shall ensure that the acquisition strategy for the program provides for:

(1) the production of competitive prototypes at the system or subsystem level before Milestone B approval;

(2) if the production of competitive prototypes is not practicable, the production of single prototypes at the system or subsystem level.

(d) REPEAL OF MANDATORY PROTOTYPING PROVISION.—Section 230 of the Weapon Systems Acquisition Reform Act of 2009 (Public Law 111–25; 10 U.S.C. 2430 note) is repealed.

SEC. 843. DESIGNATION OF MILESTONE DECISION AUTHORITY.

(a) IN GENERAL.—Section 2430 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(d)(1) The milestone decision authority for major defense acquisition programs shall be the service acquisition executive of the military service concerned that is managing the program, unless the Secretary of Defense designates another official to serve as the milestone decision authority.

“(2) The Secretary of Defense may designate an alternate milestone decision authority in programs where—

“(A) the Secretary determines that the program is addressing a joint requirement;

“(B) the Secretary determines that the program is best managed by a defense agency;

“(C) the program has incurred a unit cost increase greater than the significant cost threshold or critical cost threshold under section 2433 of this title;

“(D) the program has failed to develop an acquisition program baseline within 2 years of program initiation; or

“(E) the program is critical to a major interagency requirement or technology development effort, or has significant international partner involvements.

“(F) the Secretary certifies that an alternate official serving as the milestone decision authority will best position the program to achieve desired cost, schedule, and performance outcomes.

“(3)(A) The Secretary of Defense may delegate the position of milestone decision authority for a program designated above upon request of the Secretary of the military department concerned. A decision on redelegation is made in a manner to not result in the request of the Secretary of the military department concerned.

“(B) If the Secretary of Defense denies the request for redelegation, the Secretary shall certify to the congressional defense committees that an alternate official serving as the milestone decision authority will best position the program to achieve desired cost, schedule, and performance outcomes. No such redelegation is authorized after a program has incurred a unit cost increase greater than the significant cost threshold or critical cost threshold under section 2433(1) of this title, except for exceptional circumstances. For major defense acquisition programs where the service acquisition executive of the military service that is managing the program is the milestone decision authority—

“(A) the Secretary of Defense shall ensure that no documentation is required outside of the military service organization, without a determination by the Deputy Chief Management Officer that the documentation supports a specific statutory requirement and is implemented in a manner that will not result in program delays or increased costs, and no acquisition programmatic approvals shall be required outside of the military service organization, or the Secretary shall certify to the congressional defense committees that no documentation is required outside of the military service organization, or the Secretary shall certify to the congressional defense committees on any increased risk to the program since the last report.

“(F) CONFORMING AMENDMENT.—Section 133(b)(5) of such title is amended by inserting before the period at the end the following: ‘‘, except that the Under Secretary shall exert advisory authority over service acquisition programs for which the service acquisition executive is the milestone decision authority.’’

“(G) IMPLEMENTATION.—

(1) IMPLEMENTATION PLAN.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a plan for implementing subsection (d) of section 2430 of title 10, United States Code, added by subsection (a)(3).

(2) GUIDANCE.—The Deputy Chief Management Officer of the Department of Defense,
in consultation with the Under Secretary of Defense for Acquisition, Technology and Logistics and the service acquisition executives, shall issue guidance to ensure that by not later than October 1, 2016, the acquisition policy, guidance, and practices of the Department of Defense conform to the requirements of subsection (d) of section 2430 of title 10 United States Code, as added by subsection (a) of this section. The guidance shall be designed to ensure a streamlined decision-making and approval process and to minimize any information requests, consistent with the requirement of paragraph (4)(A) of such subsection (d).

(3) EFFECTIVE DATE.—The amendments made by this section take effect on October 1, 2016.

SEC. 844. REVISION OF MILESTONE B DECISION AUTHORITY RESPONSIBILITIES FOR MAJOR DEFENSE ACQUISITION PROGRAMS.

(a) Revision to Milestone A Requirements.—

(1) IN GENERAL.—Section 2366a of title 10, United States Code, is amended to read as follows:

"§ 2366a. Major defense acquisition programs: responsibilities at Milestone A approval.

"(a) Responsibilities.—Before granting Milestone A approval for a major defense acquisition program or a major subprogram, the milestone decision authority for the program shall ensure that—

"(1) information about the program or subprogram is sufficient to warrant entry of the program or subprogram into the risk reduction phase;

"(2) the Secretary of the relevant military department and the chief of the relevant military service concur in cost, schedule, technical feasibility, and performance trade-offs that have been made with regard to the program; and

"(3) there are sound plans for progression of the program or subprogram to the development phase.

"(b) Considerations.—In carrying out subsection (a), the milestone decision authority shall take appropriate action to ensure that—

"(1) the program or subprogram—

"(A) meets a joint military requirement and responds to an anticipated or likely threat;

"(B) has been developed in light of appropriate alternatives, and a review of alternative approaches and does not unnecessarily duplicate a capability already provided by an existing system; and

"(C) is affordable in light of cost estimates developed pursuant to the guidance of the Director of Cost Assessment and Program Evaluation; and

"(2) the acquisition strategy for the program or subprogram—

"(A) identifies areas of risk and, for each such identified area of risk, includes a plan to reduce those risks;

"(B) addresses planning for sustainment; and

"(C) complies with the requirements of section 2361a of this title and the policies and procedures implementing such section; and

"(3) the program or subprogram meets any other considerations the milestone decision authority considers relevant.

"(c) Notification.—Not later than 30 days after granting Milestone A approval for a major defense acquisition program or major subprogram, the milestone decision authority for that program or subprogram shall submit to the congressional defense committees responsible for the program approval in writing. The milestone decision authority’s decision memorandum with respect to such approval shall be available to the congressional defense committees upon request, consistent with any relevant classification requirements.

"(d) Definitions.—In this section:

"(1) The term ‘major defense acquisition program’ means a Department of Defense acquisition program that is a major defense acquisition program for purposes of section 2430 of this title.

"(2) The term ‘major subprogram’ means a major subprogram of a major defense acquisition program designated under section 2430a(a)(1) of this title.

"(3) The term ‘milestone decision authority’, with respect to a major defense acquisition program or a major subprogram, means the official within the Department of Defense designated with the overall responsibility and authority for acquisitions decisions for the program or subprogram, including authority to approve entry of the program or subprogram into the next phase of the acquisition process.

"(4) The term ‘Milestone A approval’ means a decision to enter into a risk reduction phase pursuant to guidance prescribed by the Secretary of Defense for the management of Department of Defense acquisition programs.

"(5) The term ‘joint military requirement’ has the meaning given that term in section 181(g)(1) of this title.

"(6) The term ‘Joint Requirements Oversight Council’ has the meaning given that term in section 181(b) of this title.

"(7) The term ‘Joint Requirements Oversight Council’ has the meaning given that term in section 181(b) of this title.

"(8) The term ‘Department of Defense’ means the Department of Defense.

"(9) The term ‘milestone decision authority’ has the meaning given that term in section 181(b) of this title.

"(10) The term ‘major subprogram’ means a major subprogram designated by the Secretary of Defense for the management of Department of Defense acquisition programs.

"(11) The term ‘major defense acquisition program’ means a Department of Defense acquisition program designated under section 2430a(a)(1) of this title.

"(12) The term ‘Joint Requirements Oversight Council’ has the meaning given that term in section 181(b) of this title.

"(13) The term ‘Joint Requirements Oversight Council’ has the meaning given that term in section 181(b) of this title.

"(14) The term ‘major defense acquisition program’ means a Department of Defense acquisition program designated under section 2430a(a)(1) of this title.

"(15) The term ‘Joint Requirements Oversight Council’ has the meaning given that term in section 181(b) of this title.

"(16) The term ‘major defense acquisition program’ means a Department of Defense acquisition program designated under section 2430a(a)(1) of this title.

"(17) The term ‘Joint Requirements Oversight Council’ has the meaning given that term in section 181(b) of this title.

(b) Considerations in Making Milestone A Determinations.—In making a Milestone A determination pursuant to section 2366a of title 10, United States Code, the milestone decision authority shall consider the following:

"(1) With respect to joint military requirements, the factors outlined under section 181(b)(1) of title 10, United States Code.

"(2) With respect to alternative approaches, the factors outlined under section 201(a) of the Weapon Systems Acquisition Reform Act of 2009 (Public Law 111–23; 10 U.S.C. 2302 note).

"(3) With respect to affordability and cost estimates, the factors outlined under section 2334(a) of title 10, United States Code.

"(4) With respect to risk, the factors outlined under—

"(A) section 138b(1) of title 10, United States Code; and

"(B) section 842.

"(5) With respect to sustainment, the factors outlined under sections 2337 and 2464 of this title 10, United States Code.

SEC. 845. REVISION OF MILESTONE B DECISION AUTHORITY RESPONSIBILITIES FOR MAJOR DEFENSE ACQUISITION PROGRAMS.

(a) Revision to Milestone B Requirements.—Section 2366b of title 10, United States Code, is amended to read as follows:

"§ 2366b. Major defense acquisition programs: certification required before Milestone B approval.

"(a) Certification.—A major defense acquisition program may not receive Milestone B approval until the milestone decision authority certifies that the technology in the program has been demonstrated in a relevant environment, as determined by the Milestone Decision Authority on the basis of an independent study conducted by the Assistant Secretary of Defense for Research and Engineering, in consultation with the Deputy Assistant Secretary of Defense for Developmental Test and Evaluation.

"(b) Determination.—A major defense acquisition program may not receive Milestone B approval until the milestone decision authority certifies that appropriate steps have been taken to ensure that—

"(1) the program is affordable when considered in the context of the total resources available during the period covered by the future-years defense program submitted during the fiscal year in which the certification is made;

"(2) the Secretary of the relevant military department and the chief of the relevant military service concur in the approval of the milestone decision authority for that program;

"(3) the Secretary of the relevant military department and the chief of the relevant military service concur in the approval of the milestone decision authority for that program;

"(4) the program is affordable in light of cost estimates described in paragraph (4) for the program;

"(5) market research has been conducted prior to technology development to reduce duplication of existing technology and products;

"(6) the Department of Defense has completed an analysis of alternatives and a business case analysis with respect to the program;

"(7) the Joint Requirements Oversight Council has accomplished its duties with respect to the program pursuant to section 181(b) of this title, including an analysis of the operational requirements for the program;

"(8) life-cycle sustainment planning, including corrosion prevention and mitigation plans, has identified relevant sustainment costs throughout development, production, operation, sustainment, and disposal of the program, and any alternative costs, and that such costs are reasonable and have been accurately estimated;

"(9) an estimate has been made of the requirements for core logistics capabilities and the associated sustaining workloads required to support such requirements;

"(10) there is a plan to mitigate and account for any costs in connection with any anticipated de-certification of cryptographic systems components and systems during the production and procurement of the major defense acquisition program to be acquired;

"(11) a preliminary assessment of the capability and potential for assessment of engineering design knowledge of the system has been satisfactorily completed; and

"(12) the program complies with all relevant policies, regulations, and directives of the Department of Defense.

"(b) Changes to Certification.—(1) The program manager for a major defense acquisition program that has received milestone B approval under this section shall immediately notify the milestone decision authority of any changes to the program or a designated major subprogram of such program that—

"(A) alter the substantive basis for the certification of the milestone decision authority under subsection (a) or any element of
the determination of the milestone decision authority under subsection (b); or

(B) otherwise cause the program or subprogram to deviate significantly from the parameters provided to the milestone decision authority in support of such certification or determination.

(2) Upon receipt of information from the Under Secretary of Defense for Acquisition, Technology, and Logistics that the decision authority may withdraw the certification or determination concerned or rescind Milestone B approval the milestone decision authority determines that such certification, determination, or approval is no longer valid.

(d) SUBMISSION TO CONGRESS.—(1) The certification determination requirement in subsection (b) with respect to a major defense acquisition program shall be submitted to the congressional defense committees with the first Selected Acquisition Report submitted under section 2432 of this title after completion of the certification determination.

(2) A summary of any information provided to the milestone decision authority pursuant to subsection (c) and a description of the actions taken as a result of such information shall be submitted with the first Selected Acquisition Report submitted under section 2432 of this title after receipt of such information by the milestone decision authority.

(e) WAIVER FOR NATIONAL SECURITY.—(1) The milestone decision authority may waive the determination requirement in subsection (a) or one or more components of the description of the determination requirement in subsection (b) if the milestone decision authority determines that, but for such a waiver, the Department would be unable to meet critical national security objectives.

(2) Whenever the milestone decision authority makes such a determination and authorizes the waiver, the determination, and the reasons for the determination shall be submitted in writing to the congressional defense committees within 30 days after the waiver is authorized.

(f) NONDELEGATION.—The milestone decision authority may not delegate the certification requirement under subsection (a), the determination requirement under subsection (b), or the authority to waive any component of such requirement under subsection (e).

(g) CONFORMING CHANGE.—Section 2334(a) of title 10, United States Code, is amended in subsection (f) by striking—

"any decision to grant milestone approval in the case of a space program)."

H. CON. RES. 257—CONGRESSIONAL RECORD — SENATE

SEC. 847. TENURE AND ACCOUNTABILITY OF PROGRAM MANAGERS FOR PROGRAM DEVELOPMENT PERIODS.

(a) REVISED GUIDANCE REQUIRED.—Not later than 180 days after date of the enactment of this Act, the Secretary of Defense shall revise Department of Defense guidance for defense acquisition programs to address the tenure and accountability of program managers for the program development period of defense acquisition programs.

(b) PROGRAM DEVELOPMENT PERIOD.—For the purpose of this section, the term ‘program development period’ refers to the period after Milestone B approval (or Key Decision Point B approval in the case of a space program).

(c) RESPONSIBILITIES.—The revised guidance required by subsection (a) shall provide that—

(1) the program manager that such parameters are achievable and that the program manager will be accountable for meeting such parameters; and

(2) provide the program manager with the authority to—

(A) establish expected parameters for the cost, schedule, and performance of the program consistent with the business case for the program;

(B) provide the commitment of the milestone decision authority to waive any component of such parameters that would be inconsistent with the parameters established in the performance agreement entered into pursuant to paragraph (1), subject to the authority of the Secretary of Defense, the Under Secretary of Defense for Acquisition, Technology, and Logistics to override the veto based on critical national security reasons;

(C) redirect funding within such program, to the extent necessary to achieve the parameters established in the performance agreement entered into pursuant to paragraph (1); and

(D) use program funds to recruit and hire such technical experts as may be required to carry out the program, if necessary expertise is not otherwise provided by the Department of Defense.

(d) QUALIFICATIONS, RESOURCES, AND TENURE.—The Secretary shall ensure that each program manager for the program development period of a defense acquisition program—

(1) has the appropriate management, engineering, technical, and financial expertise needed to meet the responsibilities assigned pursuant to subsection (c);

(2) is provided the resources and support (including systems engineering expertise, cost estimating expertise, and software development expertise) needed to meet such responsibilities; and

(3) is assigned to the program manager position for such program until such time as such program is ready for a decision on Milestone B approval (or Key Decision Point B approval in the case of a space program), lawmakers, unless removed for cause or due to exceptional circumstances.
(e) LIMITED WAIVER AUTHORITY.—The Secretary may waive the requirement in paragraph (3) of subsection (d) that a program manager for the program execution period of a defense acquisition program serve as program manager for the entire period covered by such paragraph; and

(2) the complexity of the program, and length of time that will be required to deliver the first production units, are not the result of a failure to meet the certification requirements under section 2366a of title 10, United States Code.

SEC. 848. REPEAL OF REQUIREMENT FOR STAND-ALONE MANPOWER ESTIMATES FOR MAJOR DEFENSE ACQUISITION PROGRAMS.

(a) REPEAL OF REQUIREMENT.—Subsection (a)(1) of section 2434 of title 10, United States Code, is amended by striking ''and operations and support'' and inserting ''shall require that the independent'' and inserting ''shall require that the independent'' and inserting ''has''.

(b) CONFORMING AMENDMENTS RELATING TO REQUIREMENT.—Subsection (b) of such section is amended—

(1) by striking paragraph (2);

(2) by striking ''shall require'' and all that follows through ''that the independent'' and inserting ''shall require that the independent'' and inserting ''has''.


SEC. 850. STREAMLINING OF REPORTING REQUIREMENTS APPLICABLE TO ACQUISITION, TECHNOLOGY, AND LOGISTICS BEFORE MILESTONE B APPROVAL.—Subparagraph (A) of paragraph (9) of section 1906(b) of title 41, United States Code, as amended by section 901(h)(2) of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2009 (Public Law 111–23), is amended by redesignating subparagraphs (A), (B), and (C) as subparagraphs (B), (C), and (D), respectively; and

(2) by inserting after "for the following:

(a) AMENDMENT TO TITLE 10, UNITED STATES CODE.—Section 2375 of title 10, United States Code, is amended—

(1) by redesigning subparagraphs (A), (B), and (C) as subparagraphs (B), (C), and (D), respectively; and

(2) by inserting after "for the following:

(a) APPLICABILITY OF GOVERNMENT-WIDE STATUTES.—(1) No contract for the procurement of a commercial item entered into by the head of an agency shall be subject to any law properly listed in the Federal Acquisition Regulation pursuant to section 1006(b) of title 41.

(2) No contract under a contract for the procurement of a commercial item entered into by the head of an agency shall be subject to any law properly listed in the Federal Acquisition Regulation pursuant to section 1006(c) of title 41.

(3) No contract for the procurement of a commercial item entered into by the head of an agency shall be subject to any law properly listed in the Federal Acquisition Regulation pursuant to section 1007 of title 41.

(b) APPLICABILITY OF DEFENSE-UNIQUE STATUTES TO CONTRACTS FOR COMMERCIAL ITEMS.—(1) The Defense Federal Acquisition Regulation Supplement shall include a list of defense-unique provisions of law that are inapplicable to contracts for the procurement of commercial items. A provision of law properly included on the list pursuant to paragraph (2) does not apply to purchases of commercial items by the Department of Defense. This section does not render a provision of law not included on the list applicable to contracts for the procurement of commercial items.

(2) A provision of law described in subsection (e) that is enacted after January 1, 2015, shall be included on the list of inapplicable provisions of law required by paragraph (1) unless the Under Secretary of Defense for Acquisition, Technology, and Logistics makes a written determination that it would not be in the best interest of the Department of Defense to exempt contracts for the procurement of commercial items from the inapplicability of the provision.

(c) APPLICABILITY OF DEFENSE-UNIQUE STATUTES TO SUBCONTRACTS FOR COMMERCIAL ITEMS.—(1) The Defense Federal Acquisition Regulation Supplement shall include a list of provisions of law that are inapplicable to subcontracts under a Department of Defense contract or subcontract for the procurement of commercial items. A provision of law properly included on the list pursuant to paragraph (2) does not apply to those subcontracts. This section does not render a provision of law that is not included on the list applicable to subcontracts under a contract for the procurement of commercial items.

(2) A provision of law described in subsection (e) that is enacted after January 1, 2015, shall be included on the list of inapplicable provisions of law required by paragraph (1) unless the Under Secretary of Defense for Acquisition, Technology, and Logistics makes a written determination that it would not be in the best interest of the Department of Defense to exempt contracts for the procurement of commercial items from the inapplicability of the provision.
it would not be in the best interest of the Department of Defense to exempt subcontracts under a contract for the procurement of commercial items from the applicability of the provisions of law referred to in paragraph (1) unless such flow-down is required to address the validity of commercial item determinations for multiple procurements.

"3) In this subsection, the term ‘subcontract’ includes a transfer of commercial items or services in subdivisions, subsidiaries, or affiliates of a contractor or subcontractor. The term does not include agreements entered into by a contractor for the supply of commodities or services to the contractor reselling or distributing commercial items of another contractor without adding value.

"(d) APPLICABILITY OF DEFENSE-UNIQUE STATUTES TO CONTRACTS FOR COMMERCIALLY AVAILABLE, OFF-THE-SHELF ITEMS.—(1) The Defense Federal Acquisition Regulation Supplement shall include a list of provisions of law that are inapplicable to contracts for the procurement of commercially available off-the-shelf items. A provision of law not included on the list shall be applicable to contracts for the procurement of commercial items from the applicability of the provision.

"(e) COVERED PROVISION OF LAW.—A provision of law referred to in subsection (b)(2), (c)(2), and (d)(2) is a provision of law that the Under Secretary of Defense for Acquisition, Technology, and Logistics makes a written determination that it would not be in the best interest of the Department of Defense to exempt contracts for the procurement of commercially available off-the-shelf items from the applicability of the provision.

"(f) REPORT ON INCLUSION OF CONTRACT CLAUSES.—Not later than 180 days after the date of enactment of this Act, the Secretary of Defense, and the President shall issue guidance to ensure that acquisition officials of the Department of Defense fully comply with the requirement of section 2377 of title 10, United States Code, regarding market research and commercial items. The guidance issued pursuant to this subsection shall, at a minimum—

(1) provide that the head of an agency may not enter into a contract in excess of the simplified acquisition threshold for information technology products or services that are not commercial items unless the head of the agency determines in writing that no commercial items are suitable to meet the agency’s needs as provided in subsection (c)(2) of such section; and

(2) ensure that market research conducted in accordance with subsection (c) of such section is used, where appropriate, to inform price reasonableness determinations.

"(g) REVIEW REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Chairman of the Joint Chiefs of Staff, in consultation with the Under Secretary of Defense for Acquisition, Technology, and Logistics, shall—

(1) provide, in writing that the components included in the subsystem were purchased as major weapon systems;

(2) include any of the techniques for conducting market research provided in section 10.002(b)(2) of the Federal Acquisition Regulation and shall include, at a minimum, contracting for the procurement of commercial items from the applicability of the provisions of law referred to in paragraph (1) unless such flow-down is required to address the validity of commercial item determinations for multiple procurements.

SEC. 863. CONTINUING VALIDITY OF COMMERCIAL ITEM DETERMINATIONS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Defense Federal Acquisition Regulation Supplement shall be modified to address the validity of commercial item determinations for multiple procurements.

"(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to preclude the contracting officer for the procurement of a commercial item from requiring the contractor to supply information that is sufficient to determine the reasonableness of price, regardless whether or not the contractor was required to provide such information in connection with any earlier procurement.

SEC. 864. TREATMENT OF COMMERCIAL ITEMS PURCHASED AS MAJOR WEAPON SYSTEMS.

(a) AMENDMENTS TO REQUIREMENTS REGARDING MAJOR WEAPON SYSTEMS.—Section 2379 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking ‘‘section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12))’’ and inserting ‘‘section 104 of title 41, United States Code’’;

(ii) by striking subparagraph (B); and

(B) in paragraph (2)—

(i) by striking ‘‘in writing that—’’ and all that follows through ‘‘(A) the subsystem and inserting ‘‘in writing that the subsystem’’;

(ii) by striking ‘‘section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12))’’ and inserting ‘‘section 104 of title 41, United States Code’’;

(iii) by striking subparagraph (B); and

(B) in subparagraph (B)—

(i) by striking ‘‘in writing that—’’ and all that follows through ‘‘(i) the component and inserting ‘‘in writing that the component’’;

(ii) by striking ‘‘section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12))’’ and inserting ‘‘section 104 of title 41, United States Code’’;

(B) in subparagraph (B)—

(i) by striking ‘‘in writing that—’’ and all that follows through ‘‘(i) the component’’ and inserting ‘‘in writing that the component’’;

(ii) by striking paragraph (2)(B); and

(B) by redesignating paragraph (3) as paragraph (2).
“(A) prices paid for the same or similar commercial items under comparable terms and conditions by both government and commercial customers;”

“(B) an estimate that the contracting officer determines that the offeror does not have access to and cannot provide sufficient information described in subparagraph (A) to determine the reasonableness of price;”

“(iii) prices for alternative solutions or approaches; and”

“(iv) other relevant information that can serve as the basis for a price assessment; and”

“(C) if the contracting officer determines that the information submitted pursuant to subparagraphs (A) and (B) is not sufficient to determine the reasonableness of price, other relevant information regarding the basis for price or cost, including information on labor costs, materials costs, and overhead rates.”

“(2) an offeror may not be required to submit information described in paragraph (1)(C) if the offeror provides information on pricing or cost that was developed exclusively at private expense.”

“(b) CONFORMING AMENDMENT TO TRUTH IN NEGOTIATIONS ACT.—Section 2306a(d)(1) of such title is amended by adding at the end the following new sentence: “If the contracting officer informs the offeror that the offeror does not have access to and cannot provide sufficient information on prices for the same or similar commercial items, the offeror may submit information on prices for comparable products or services, prices for alternative solutions or approaches, and other information that is relevant to the determination of a fair and reasonable price.”

“(a) IN GENERAL.—The Secretary of Defense may not convert the procurement of commercial items or services from commercial acquisition procedures under part 12 of the Federal Acquisition Regulation to non-commercial acquisition procedures under part 15 of the Federal Acquisition Regulation unless the Secretary certifies to the Under Secretary of Defense for Acquisition and Sustainment that the acquisition is converted from commercial to non-commercial procurement procedures.

“(b) CERTIFICATION FACTORS.—In making a certification under paragraph (1), the Secretary shall consider the following factors:

“(A) The estimated cost of foregone research and development to be performed by existing contractors to improve future products or services.

“(B) The transaction costs for the Department of Defense and contractors in assessing and responding to data requests to support conversions to non-commercial acquisition procedures.

“(C) Other factors the Secretary considers appropriate.

“(c) ISSUANCE OF GUIDANCE.—The Secretary shall issue guidance to provide advice to the Secretary that may be used to evaluate the need to convert from commercial to non-commercial procurement procedures.

“SEC. 866. TREATMENT OF GOODS AND SERVICES PROVIDED BY NONTRADITIONAL CONTRACTORS AS COMMERCIAL ITEMS.

“(a) IN GENERAL.—Chapter 140 of title 10, United States Code, is amended to read as follows:

“§ 2380. Treatment of goods and services provided by nontraditional contractors as commercial items.

“(a) DEFENSE BUSINESS SYSTEMS GENERALLY.—The Secretary of Defense shall ensure that defense business processes are reviewed, and as appropriate revised through business process reengineering to match best commercial practices and maximize extent practicable, and to minimize customization of commercial business systems.

“(b) DEFENSE BUSINESS PROCESSES GENERALLY.—The Secretary shall ensure that defense business processes are reviewed, and as appropriate revised through business process reengineering to match best commercial practices and maximize extent practicable, and to minimize customization of commercial business systems.

“(c) ISSUANCE OF GUIDANCE.—The Secretary shall direct the Deputy Chief Management Officer of the Department of Defense, the Under Secretary of Defense for Acquisition, Technology, and Logistics, the Chief Information Officer, and the Chief Management Officer of each of the military departments to issue and maintain supporting guidance that provides the appropriate level of guidance issued under paragraph (1), within their respective areas of responsibility, as necessary.

“(d) GUIDANCE ELEMENTS.—The guidance issued pursuant to subsection (c) shall include the following elements:

“(1) Policy to ensure that the business processes of the Department of Defense are continuously evolved to—

“(A) implement the most streamlined and efficient business process practicable; and

“(B) incorporate or reuse relevant commercial-off-the-shelf systems to meet unique requirements or incorporate unique requirements or incorporate unique interoperability, maximize extent practicable, and to minimize customization of commercial business systems.

“(2) A process to establish requirements for covered defense business systems.

“(3) Policy requiring the periodic review of covered defense business systems that have been fully deployed, by portfolio, to ensure that investments in such portfolios are appropriate.

“(4) Policy to ensure full consideration of sustainability and technological refreshment requirements, and the appropriate use of open architectures.

“(e) DEFENSE BUSINESS COUNCIL.—The Secretary shall establish a Defense Business Council to provide advice to the Secretary concerning the streamlining of business processes and developing and deploying defense business systems. The Council shall be chaired by the Deputy Chief Management Officer of the Department of Defense, and shall include membership from the public sector, defense industry, and commercial industry.

“(f) APPROVALS REQUIRED FOR DEVELOPMENT.—(1) The Secretary shall ensure that a covered defense business system program cannot proceed into development (or, if development is required into production or fielding) unless the appropriate program officials (as specified in paragraph (3)) have determined that—

“(A) a business process has been, or is being, reengineered to be as streamlined and efficient as practicable, and the implementation of the business process minimizes the elimination of unique software requirements and unique interfaces;

“(B) the system has valid, achievable requirements and a viable plan for implementing those requirements (including, as appropriate, market research, business process reengineering, and prototyping activities); and

“(C) the system has an acquisition strategy designed to eliminate or reduce the need
to tailor commercial-off-the-shelf systems to meet unique requirements or incorporate unique requirements or incorporate unique interfaces to the maximum extent practicable.

(‘(D) the system is in compliance with the Department’s auditability requirements.

(2)(A) For any fiscal year in which funds are obligated to develop or sustainment pursuant to a covered defense business system program, the appropriate approval officials shall review the system and certify or declinify with conditions or decline to certify, as the case may be, that

(i) it continues to satisfy the requirements of paragraph (1); and

(ii) an acquisition program baseline has been established within two years of program initiation; and

(iii) program requirements and have not changed in a manner that is increasing acquisition costs or schedule, without sufficient cause and only after maximum efforts to reengineer business processes prior to changing requirements.

(B) If an approval officially determines that full certification cannot be granted, the appropriate approval official shall notify the acquisition milestone decision authority for the program and provide a recommendation for corrective action, and provide a copy of such recommendation to the congressional defense committees within 60 days.

(3) For purposes of paragraph (1), the appropriate approval officials with respect to a covered defense business system are the following:

(A) In the case of a priority defense business system program, the Deputy Chief Management Officer of the Department of Defense.

(B) In the case of other covered defense business systems, an official designated under procedures established by the Secretary of Defense.

(g) RESPONSIBILITY OF MILESTONE DECISION AUTHORITY. —The milestone decision authority for a covered defense business system program shall be responsible for the acquisition of such system and shall ensure that acquisition process approvals are not considered for such system until the relevant certifications and approvals have been made under this section.

(h) DEFINITIONS. —In this section:

(1) DEFENSE BUSINESS SYSTEM.—(A) The term ‘defense business system’ means an information system that is operated by, or on behalf of, the Department of Defense, including any of the following:

(i) A financial system.

(ii) A financial data feeder system.

(iii) A contracting system.

(iv) A logistics system.

(v) A planning and budgeting system.

(vi) An installations management system.

(vii) A human resources management system.

(viii) A training and readiness system.

(B) The term does not include—

(i) An asset management system; or

(ii) An information system used exclusively by and within the defense commissionary system or the exchange system or other instrumentality of the Department of Defense conducted for the morale, welfare, and recreation of members of the armed forces using nonappropriated funds.

(2) COVERED DEFENSE BUSINESS SYSTEM.—The term ‘covered defense business system’ means a defense business system that is expected to have a total amount of budget authorizations, including the current and future-years defense program submitted to Congress under section 221 of this title, in excess of $50,000,000.

(3) COVERED DEFENSE BUSINESS SYSTEM PROGRAM.—The term ‘covered defense business system program’ means a defense acquisition program to develop and field a covered defense business system or an increment of a covered defense business system.

(4) PRIORITY DEFENSE BUSINESS SYSTEM PROGRAM.—The term ‘priority defense business system program’ means a defense business system that is—

(A) expected to have a total amount of budget authorizations, including the current and future-years defense program submitted to Congress under section 221 of this title, in excess of $250,000,000; or

(B) designated by the Deputy Chief Management Officer of the Department of Defense as a priority defense business system, based on specific program analyses of factors including, but not limited to, technical risk, and after notification to Congress of such designation.

(5) ENTERPRISE ARCHITECTURE.—The term ‘enterprise architecture’ has the meaning given that term in section 3601(b)(4) of title 44.

(6) INFORMATION SYSTEM.—The term ‘information system’ has the meaning given that term in section 11181 of title 40, United States Code.

(7) NATIONAL SECURITY SYSTEM.—The term ‘national security system’ has the meaning given that term in section 3552(b)(2) of title 44.

(8) MILESTONE DECISION AUTHORITY.—The term ‘milestone decision authority’, with respect to a defense acquisition program, means the individual within the Department of Defense designated with the responsibility to grant milestone approvals for that program.

(9) BUSINESS PROCESS MAPPING.—The term ‘business process mapping’ means a procedure in which the steps in a business process are clarified in both written form and in a flow chart.

(10) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 131 of title 10, United States Code, is amended by striking the provisions in paragraphs (1), (2), and (3) of subsection (d) of section 2201 of such title and inserting the following:

`2201. Defense business systems: business process reengineering; enterprise architecture; management.'.

(b) IMPLEMENTATION OF PREVIOUSLY ENACTED TITLE CHANGE.—Effective February 1, 2017, title 222 of title 10, United States Code, as amended by section 2222 of title 10, United States Code, and the 120 days used to certify a national security system or a priority defense business system shall begin on the 60th day following the date of enactment of this Act.

(c) DEADLINE FOR GUIDANCE.—The guidance required by subsection (b)(1) of section 2222 of title 10, United States Code, as amended by subsection (a)(1), shall be issued not later than December 31, 2016.

(d) MODIFICATION OF CONTROLLER GENERAL ASSESSMENT.—Section 332(d) of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108-375; 118 Stat. 3856) is amended to read as follows:

‘‘(d) CONTROLLER GENERAL ASSESSMENT.—In each odd-numbered year, the Comptroller General of the United States shall submit to the congressional defense committees an assessment of the extent to which the actions taken by the Department of Defense comply with the requirements of this section.’’.

SEC. 872. UNIFIED INFORMATION TECHNOLOGY SERVICES.

(a) BUSINESS CASE ANALYSIS.—Not later than one year after the date of the enactment of this Act, the Department of Defense shall submit to the congressional defense committees an analysis of business case and competition while supporting interoperability where necessary.
Chief Information Officer, establish a govern-
ance mechanism and process to ensure es-
teroperability across Department networks through the imposition of a mini-
(A) Security requirements.
(B) The compatibility of applications cur-
cently utilized within the Secret Internet Protocol Network with a cloud computing environment.
(C) How a Secret Internet Protocol Network cloud capability should be competitively acquired.
(D) How a Secret Internet Protocol Network cloud system would achieve interoperability with the cloud systems of the intel-
ligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003) operating at the security level Sensitive Compartednt Information.
(b) Pricing Policy and Cost Recovery Process for Cloud Services. (A) The Chief Information Officer of the Department of Defense shall, in coordination with the Director of National Intelligence and in con-
sultation under Secretary of Defense for Intelligence, develop a consistent pricing policy and cost recovery process for the use by Department of Defense components of the cloud services provided through the Intelligence Community Information Technology Environment.
(c) Assessment of Feasibility and Advis-
ability of Imposing Minimum Standards. (A) In General. (B) Coordination. (C) Assessment of Minimum Costs.
(a) Flexibility on Development Period. —Section 2445s(c)(2) of title 10, United States Code, is amended— 
(1) in paragraph (a), by striking the semicolon at the end and inserting ; or 
(2) in paragraph (b), by striking the semicolon at the end and inserting ; or; 
(3) by redesignating subsection (d) as subsection (e); and 
(4) by inserting after paragraph (3) the fol-
lowing new paragraph: 
SEC. 874. CLOUD STRATEGY FOR DEPARTMENT OF DEFENSE. 
(a) CLOUD STRATEGY FOR SECRET INTERNET PROTOCOL NETWORK. 
(1) In General. —The Chief Information Offi-
cer of the Department of Defense shall, in consultation with the Under Secretary of De-
fense for Intelligence, the Director of Na-
tional Intelligence, the Vice Chairman of the Joint Chiefs of Staff, the Under Secretary of Defense for Acquisition, Technology, and Logistics, and the Chief Information Officer of the military departments, develop a cloud strategy for the Secret Internet Protocol Network (SIPRNet) of the Department. 
(2) Matters Addressed. —This strategy re-
quired by paragraph (1) shall address the fol-
lowing: 
(a) Security requirements. 
(b) The compatibility of applications cur-
cently utilized within the Secret Internet Protocol Network with a cloud computing environment.
(c) How a Secret Internet Protocol Network cloud capability should be competitively acquired.
(d) How a Secret Internet Protocol Network cloud system would achieve interoperability with the cloud systems of the intel-
ligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003) operating at the security level Sensitive Compartednt Information.
(b) Pricing Policy and Cost Recovery Process for Cloud Services. (A) The Chief Information Officer of the Department of Defense shall, in coordination with the Di-
rector of National Intelligence and in con-
sultation under Secretary of Defense for Intelligence, develop a consistent pricing policy and cost recovery process for the use by Department of Defense components of the cloud services provided through the Intelligence Community Information Technology Environment.
SEC. 875. DEVELOPMENT PERIOD FOR DEPART-
MENT OF DEFENSE INFORMATION TECHNOLOGY SYSTEMS. 
(a) Flexibility on Development Period. —Section 2445s(c) of title 10, United States Code is amended— 
(1) by redesignating subsection (d) as sub-
section (e); and 
(2) by inserting after subsection (c) the fol-
lowing new subsection: 
SEC. 876. REVISIONS TO PILOT PROGRAM ON AC-
QUISITION OF MILITARY PURPOSE NON-DEVELOPMENTAL ITEMS. 
(a) IN GENERAL. —Section 866 of the Ike Skelton National De-
(1) in subsection (a)(2), by striking with nontraditional defense contractors; and 
(2) in subsection (b)— 
(A) in paragraph (1), by striking an equal sign. 
(b) PRICE RESEARCH. 
(c) ASSESSMENT OF FEASIBILITY AND ADVIS-
ABILITY OF IMPOSING MINIMUM STANDARDS. (A) IN GENERAL. —The Secretary of Defense shall review the oversig-
th and audit structure of the Department of Defense with the goal of enhancing the productiv-
ity of oversight and program and contract auditing to avoid duplicative audits and the streamlining of oversight re-
vews. The Secretary shall take all necessary measures to streamline oversight reviews and avoid duplicative audits and make rec-
ommendation for any necessary changes in law.
(1) REPORT. —(A) In General. —Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the chief information officers of the Defense Contract Audit Agency regional organizations, offices, and individual auditors; and 
(c) Description of Outreach Actions Toward Industry to Promote More Effective Use of Audit Resources. (A) CLOUD STRATEGY FOR DEFENSE MENTOR-PROTEGE PILOT PROGRAM. 
(a) IN GENERAL. —Section 881(j) of the National De-
(1) in paragraph (1), by striking “September 30, 2010” and inserting “September 30, 2016”; and 
(2) in paragraph (2), by striking “September 30, 2016” and inserting “September 30, 2019.”
SEC. 877. EXTENSION OF THE DEPARTMENT OF DEFENSE MENTOR-PROTEGE PILOT PROGRAM. 
(a) ADDRESSING AUDIT BACKLOG. —(1) In General. —Beginning October 1, 2016, the Defense Contract Audit Agency may pro-
vide audit support for non-Defense Agencies once the Secretary of Defense certifies that the backlog for incurred cost audits is less than 12 months of inventory.
(b) ADJUSTMENT IN FUNDING FOR REIMBUR-
SEMENTS FROM NON-DEFENSE AGENCIES. —The amount appropriated and otherwise available to the Department of Defense and the Inspector General of the Department of Defense for defense contract audit activities shall be reduced by an amount equivalent to any reimbursements received by the Defense Contract Audit Agency for support provided in violation of the limitation under paragraph (1).
(b) USE OF THIRD PARTY AUDITS. —The Secre-
tary of Defense may, up to 5 percent of the budget for the Defense Contract Audit Agency, use third party audits to help eliminate the audit backlog in incurred cost audits and to reduce the time to complete pre-award audits. 
(c) USE OF INSPECTOR GENERAL AUDITING STAFF. —The Office of the Inspector General of the Department of Defense shall make available 5 percent of its auditing staff to the Defense Contract Audit Agency to help eliminate the audit backlog in incurred cost, pre-award accounting systems audits and to reduce the time to complete pre-award audits.
(d) DEFENSE CONTRACT AUDIT AGENCY AN-
NUAL REPORT. —Section 2513(a) of title 10, United States Code, is amended— 
(1) in paragraph (2), by amending subparagraph (D) to read as follows: 
SEC. 879. SURVEY ON THE COSTS OF REGU-
LATORY COMPLIANCE. 
(a) Survey Requirement. —The Secretary of Defense shall conduct a survey of the top ten contractors with the highest level of reimburse-
ments for cost type contracts with the Depart-
ment of Defense during fiscal year 2014 to estimate industry’s cost of regulatory compliance (as a percentage of total costs) with government unique acquisition regulations and requirements in the categories of quality assurance, accounting and financial management, contracting and purchasing, program management, engineering, logistics, test and evaluation, management, administra-
tion, and other unique requirements not im-
posed on contracts for commercial items. 
(b) Report. —Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the con-
gressional defense committees a report on
the findings of the survey conducted under subsection (a). The data received as a result of the survey and included in the report shall be aggregated to protect against the public release of personal information.

SEC. 880. GOVERNMENT ACCOUNTABILITY OFFICE REPORT ON BID PROTESTS. (a) REPORT REQUIRED.—Not later than 270 days after the enactment of this Act, the Comptroller General of the United States shall submit to the congressional defense committees a report on the prevalence and impact of bid protests on Department of Defense acquisitions over the previous 10 years, including both protests to the Government Accountability Office and protests filed in state of the government.

(b) ELEMENTS.—The report required by subsection (a) shall include, at a minimum, the following elements:

(1) A description of trends in the number of bid protests filed, and the rate of such bid protests compared to the number of procurements.

(2) A description of comparative rates for bid protests filed by incumbent contractors and bid protests filed by non-incumbent contractors.

(3) An assessment of the cost and schedule impact of successful and unsuccessful bid protests filed by incumbent contractors on contracts for services with a value in excess of $100,000,000.

(4) A description of trends in the number of bid protests filed and the rate of such bid protests on contracts for the procurement of major defense acquisition programs.

(5) An assessment of the cost and schedule impact of successful and unsuccessful bid protests filed on contracts for the procurement of major defense acquisition programs.

(6) A description of any views the Comptroller General may have on the likely impact of a provision requiring a losing protestor to pay for the procurement of a major defense acquisition program to pay the legal fees of the government.

SEC. 881. STEPS TO IDENTIFY AND ADDRESS POTENTIAL UNFAIR COMPETITIVE ADVANTAGE OF TECHNICAL ADVISORS TO ACQUISITION OFFICIALS. (a) GUIDANCE REQUIRED.—Not later than 120 days after the enactment of this Act, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall issue guidance that should be designed to identify and evaluate, and to avoid, neutralize, or mitigate, any potentially unfair competitive advantage of entities providing technical advice to acquisition officials in the award of research and development work by such officials.

(b) DEFINITIONS.—For the purposes of this section—

(1) the term ‘‘potentially unfair competitive advantage’’ means unequal access to acquisition officials responsible for award decisions or allocation of resources or to acquisition information relevant to award decisions or allocation of resources; and

(2) the term ‘‘entity providing technical advice to acquisition officials’’ means a contractor, Federally-funded research and development center and other non-profit entity, or Federal laboratory that provides systems engineering and technical direction, participates in technical evaluations, helps prepare specifications or work statements, or otherwise provides technical advice to acquisition officials on the conduct of defense acquisition programs.

SEC. 882. HUBZONE QUALIFIED DISASTER AREAS. (a) IN GENERAL.—The Small Business Act (15 U.S.C. 631 et seq.) is amended—

(1) in section 3(p)(1)(E) of such title (15 U.S.C. 632)—

(4) by striking paragraph (4) of such section and inserting the following:

(II) in paragraph (1)—

(2) by redesignating item (bb) as item (cc); and

(i) a base closure area (as defined in section 3(p)(4)(D) of the Small Business Act (15 U.S.C. 632(p)(4)(D))) that, on the day before the date of enactment of this Act, was treated as a HUBZone described in section 3(p)(1)(E) of the Small Business Act (15 U.S.C. 632(p)(1)(E)) under—

(b) REQUIREMENT FOR DIRECTOR TO BE MEMBER OF SENIOR EXECUTIVE SERVICE OR GENERAL OR FLAG OFFICER.—Section 131(b)(7)(F) of such title is amended by striking ‘‘Office of Family Policy’’ and inserting ‘‘Director of Family Policy’’; and

(c) DIRECTOR ON MILITARY FAMILY READINESS POLICY.—Section 1781(b)(7)(F) of such title is amended by striking ‘‘Office of Military Family Readiness Policy’’ and inserting ‘‘Director of Military Family Readiness Policy’’.

(d) REQUIREMENT FOR DIRECTOR TO BE MEMBER OF SENIOR EXECUTIVE SERVICE OR GENERAL OR FLAG OFFICER.—Such section is further amended by adding at the end the following new sentence: ‘‘The Director shall be a member of the Senior Executive Service or a general officer or flag officer.’’.

(3) INCLUSION OF DIRECTOR ON MILITARY FAMILY READINESS COUNCIL.—Subsection (b)(1)(E) of section 1781a of such title is amended by striking ‘‘Office of Community Support for Military Families with Special Needs’’ and inserting ‘‘Office of Military Family Readiness Policy’’.

(4) CONFORMING AMENDMENT.—Section 131(b)(7)(F) of such title is amended by striking ‘‘Office of Family Policy’’ and inserting ‘‘Director of Family Policy’’.

(h) ADVISING THE SECRETARY ON DEVELOPMENT OF JOINT COMMAND, CONTROL, COMMUNICATIONS, AND CYBER CAPABILITIES, INCLUDING INTEROPERABILITY OF SUCH CAPABILITIES, THROUGH REQUIREMENTS, INTEGRATED ARCHITECTURES, DATA STANDARDS, AND ASSESSMENTS.’’.

SEC. 902. REORGANIZATION AND REDESIGNATION OF OFFICE OF FAMILY POLICY AND OFFICE OF COMMUNITY SUPPORT FOR MILITARY FAMILIES WITH SPECIAL NEEDS.

(a) OFFICE OF FAMILY POLICY.—(1) REDESIGNATION AS OFFICE OF MILITARY FAMILY READINESS POLICY.—Section 131(a)(4) of title 10, United States Code, is amended by adding at the end the following new sentence: ‘‘The Director shall be the Director of Military Family Readiness Policy’’.

(b) DIRECTOR ON MILITARY FAMILY READINESS POLICY.—Section 131(b)(7)(F) of such title is amended by striking ‘‘Office of Family Policy’’ and inserting ‘‘Office of Military Family Readiness Policy’’.

(c) DIRECTOR OF MILITARY FAMILY READINESS POLICY.—Section 1781(b)(7)(F) of such title is amended by striking ‘‘Office of Community Support for Military Families with Special Needs’’ and inserting ‘‘Office of Military Family Readiness Policy’’.

(d) REQUIREMENT FOR DIRECTOR TO BE MEMBER OF SENIOR EXECUTIVE SERVICE OR GENERAL OR FLAG OFFICER.—Such section is amended by adding at the end the following new sentence: ‘‘The Director shall be a member of the Senior Executive Service or a general officer or flag officer.’’.

(3) INCLUSION OF DIRECTOR ON MILITARY FAMILY READINESS COUNCIL.—Subsection (b)(1)(E) of section 1781a of such title is amended by striking ‘‘Office of Community Support for Military Families with Special Needs’’ and inserting ‘‘Office of Military Family Readiness Policy’’.

(4) CONFORMING AMENDMENT.—Section 131(b)(7)(F) of such title is amended by striking ‘‘Office of Family Policy’’ and inserting ‘‘Director of Family Policy’’.

(d) DIRECTOR ON MILITARY FAMILY READINESS POLICY.—Section 1781(b)(7)(F) of such title is amended by striking ‘‘Office of Family Policy’’ and inserting ‘‘Director of Military Family Readiness Policy’’.

(e) HEARING AND CEREMONIAL AMENDMENTS.—Section 1781(b)(7)(F) of such title is amended by striking as a HUBZone described in section 3(p)(1)(E) of the Small Business Act (15 U.S.C. 632(p)(1)(E)) under—

(f) DIRECTOR ON MILITARY FAMILY READINESS POLICY.—Section 1781(b)(7)(F) of such title is amended by striking ‘‘Office of Family Policy’’ and inserting ‘‘Director of Family Policy’’.

(g) DIRECTOR ON MILITARY FAMILY READINESS POLICY.—Section 1781(b)(7)(F) of such title is amended by striking ‘‘Office of Family Policy’’ and inserting ‘‘Director of Military Family Readiness Policy’’.

(h) DIRECTOR ON MILITARY FAMILY READINESS POLICY.—Section 1781(b)(7)(F) of such title is amended by striking ‘‘Office of Family Policy’’ and inserting ‘‘Director of Military Family Readiness Policy’’.
"§1781. Office of Military Family Readiness Policy."

(B) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 88 of title 10, United States Code, is amended by striking the item relating to section 1781 and inserting the following new item:

"1781. Office of Military Family Readiness Policy."

(b) OFFICE OF COMMUNITY SUPPORT FOR MILITARY FAMILIES WITH SPECIAL NEEDS.—(1) DESIGNATION AS OFFICE OF SPECIAL NEEDS.—Subsection (a) of section 1781c of title 10, United States Code, is amended by striking "Office of Community Support for Military Families with Special Needs" and inserting "Office of Special Needs."

(2) REORGANIZATION UNDER OFFICE OF MILITARY FAMILY READINESS POLICY.—Such subsection is further amended by striking "Office of the Under Secretary of Defense for Personnel and Readiness" and inserting "Office of Military Family Readiness Policy."

(3) REPEAL OF REQUIREMENT FOR HEAD OF OFFICE TO BE MEMBER OF SENIOR EXECUTIVE SERVICE OR GENERAL OR FLAG OFFICER.—Such subsection is further amended by striking subsection (c).

(4) CONFORMING AMENDMENTS.—Such section is further amended—

(A) redesignating subsections (d) through (i) as subsections (c) through (h), respectively;

(B) by striking "subsection (e)" each place it appears inserting "subsection (d)");

(C) in subsection (c), as so redesignated, by striking "subsection (f)" in paragraph (2) and inserting "subsection (e)"); and

(D) in subsection (g), as so redesignated, by striking "subsection (d)(4)" in paragraph (2B) and inserting "subsection (c)(4)".

(b) AUDITS REQUIRED.—For purposes of satisfying the requirement under section 3521(e) of title 31, United States Code, for audits of financial statements of Department of Defense components identified by the Director of the Office of Management and Budget under section 3515(c) of such title, the Inspector General of the Department of Defense shall obtain each year audits of the financial statements of each such component by an independent external auditor.

(b) INSPECTOR GENERAL SELECTION AND OVERSIGHT.—The Inspector General shall—

(1) select independent external auditors for purposes of subsection (a) based, among other appropriate criteria, on their qualifications, independence, and capacity to conduct audits described in subsection (a) in accordance with generally accepted government auditing standards; and

(2) shall monitor the conduct of such audits.

(b) LIMITATIONS.—The authority provided by subsection (a) to transfer authorizations—

(1) may only be used to provide authority for items that are a higher priority than the items from which authority is transferred; and

(2) may not be used to provide authority for an item that has been denied authorization by Congress.

(c) EFFECT ON AUTHORIZATION AMOUNTS.—A transfer made from one account to another under the authority of this section shall be deemed to increase the amount authorized for the account from which the amount is transferred by an amount equal to the amount transferred.

(d) NOTICE TO CONGRESS.—The Secretary shall promptly notify Congress of each transfer made under this section.

SEC. 1002. ANNUAL AUDIT OF FINANCIAL STATEMENTS OF DEPARTMENT OF DEFENSE COMPONENTS BY INDEPENDENT EXTERNAL AUDITORS.

(a) AUDITS REQUIRED.—For purposes of satisfying the requirement under section 3521(e) of title 31, United States Code, for audits of financial statements of Department of Defense components identified by the Director of the Office of Management and Budget under section 3515(c) of such title, the Inspector General of the Department of Defense shall obtain each year audits of the financial statements of each such component by an independent external auditor.

SEC. 1003. TREATMENT AS PART OF THE BASE BUDGET OF CERTAIN AMOUNTS AUTHORIZED FOR OVERSEAS CONTINGENCY OPERATIONS OR FOR ENACTMENT OF AN ACT REVISIGN THE DEFENSE AUTORIZATION ACT DISCRETIONARY SPENDING LIMITS FOR FISCAL YEAR 2016.

(a) IN GENERAL.—In the event of the enactment of an Act revising in proportionally equal amounts the defense discretionary spending limits for fiscal year 2016, the amount authorized to be appropriated by title XV that is in excess of the $50,900,000,000 that is appropriated by that title for revised security category activities, and is also greater than the amount of the increase in the discretionary spending limits for revised security category activities revised by that Act, shall be deemed to have been authorized to be appropriated by title III.

(b) DEFINITIONS.—In this section—

(1) the term "Act revising the defense and non-defense discretionary spending limits for fiscal year 2016" means an Act—

(A) enacted after the date of enactment of this Act; and

(B) that—

(i) increases in proportionally equal amounts the discretionary spending limits for fiscal year 2016 for the revised security category and the revised nonsecurity category; and

(ii) may include increases to the discretionary spending limits for fiscal years 2017 through 2021.

(2) The terms "discretionary spending limit", "revised security category", and "revised nonsecurity category" have the meanings given such terms in section 250 of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900).

SEC. 1004. SENSE OF SENATE ON SEQUESTRATION.

It is the sense of the Senate that—

(1) the nation's fiscal challenges are a top priority for Congress, and sequestration—non-strategic, across-the-board budget cuts—remains an unreasonable and inadequate budgeting tool to address the nation's deficits and debt;

(2) sequestration relief must be accomplished in a fiscally responsible manner;

(3) sequestration relief should include equal defense and non-defense relief; and

(4) sequestration relief should be offset through targeted changes in mandatory and discretionary categories and revenues.

Subtitle B—Counter-Drug Activities

SEC. 1011. EXTENSION OF AUTHORITY TO SUPPORT UNIFIED COUNTERCUGER AND COUNTERTERRORISM CAMPAIGN IN COLOMBIA.


(1) in subsection (a), by striking "2016" and inserting "2017"; and

(2) in subsection (c), by striking "2016" and inserting "2017".

(b) Extension of Annual Notice to Congress on Assistance.—Section 1011(b) of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 is amended by striking "as prescribed by the Under Secretary of Defense for Acquisition, Technology and Logistics", and inserting "using funds available for fiscal year 2015".
SEC. 1012. EXTENSION AND EXPANSION OF AUTHORITY TO PROVIDE ADDITIONAL SUPPORT FOR COUNTER-DRUG ACTIVITIES IN CERTAIN FOREIGN GOVERNMENTS.


(b) M A RTIAL AMENDMENTS TO SUBSECTIONS (b) AND (c).—Subsection (b) of such section 1035, as so amended, is further amended by adding at the end of the following new paragraphs:

“(49) Government of Kenya.

(50) Government of Tanzania.

(51) Government of Somalia.”.

Subtitle C—Naval Vessels and Shipyards

SEC. 1021. STUDIES OF FLEET PLATFORM ARCHITECTURES FOR THE NAVY.

(a) INDEPENDENT STUDIES.—

(1) IN GENERAL.—The Secretary of Defense shall provide for the performance of three independent studies of alternative future fleet platform architectures for the Navy in the 2030 timeframe.

(2) IN FAVOR OF CONGRESS.—Not later than May 1, 2016, the Secretary shall forward the results of each study to the congressional defense committees.

(b) ENTITIES TO PERFORM STUDIES.—The Secretary shall provide for the studies under subsection (a) to be performed

(1) one study shall be performed by the Department of the Navy and shall include participants from—

(A) the Office of Net Assessment within the Office of the Secretary of Defense; and

(B) the Naval Surface Warfare Center Dahlgren Division.

(2) the second study shall be performed by a federally funded research and development center;

(3) the final study shall be conducted by an independent, non-governmental institute which is selected under section 501 of the Internal Revenue Code of 1986, and exempt from tax under section 501(a) of such Code, and has recognized credentials and expertise in national security and military affairs.

(c) PERFORMANCE OF STUDIES.—

(1) INDEPENDENT PERFORMANCE.—The Secretary of Defense shall require the three studies under this section to be conducted independently of each other.

(2) MATTERS TO BE CONSIDERED.—In performing a study under this section, the organization performing the study, while being aware of the current and projected fleet platform architectures, shall not be limited by the current or projected fleet platform architecture and shall consider the following matters:


(B) Potential future threats to the United States and to United States naval forces in the 2030 timeframe.

(C) Traditional roles and missions of United States naval forces.

(D) Alternative roles and missions for United States naval forces.

(E) Other government and non-government analysis of alternative future fleet platform architectures, to the study through variations in study assumptions or potential scenarios.

(F) The role of evolving technology on future naval forces, including unmanned systems.

(G) Opportunities for reduced personnel and sustainment costs.

(H) Current and projected capabilities of other United States military services that could affect force structure capability and capacity requirements of United States naval forces.

(d) STUDY RESULTS.—The results of each study under this section shall:

(1) present the alternative fleet platform architectures considered, with assumptions and possible scenarios identified for each;

(2) provide for presentation of minority views of study participants; and

(3) for the recommended architecture, provide—

(A) the numbers, kinds, and sizes of vessels, the numbers and types of associated manned and unmanned vehicles, and the basic capabilities of each of those platforms;

(B) other information needed to understand that architecture in basic form and the supporting analysis;

(C) deviations from the current Annual Long-Range Plan for Construction of Naval Vessels required under section 231 of title 10, United States Code;

(D) options to address ship classes that begin decommissioning prior to 2035; and

(E) implications for naval aviation, including the future carrier air wing and land-based aviation platforms.

SEC. 1022. AMENDMENT TO NATIONAL SEA-BASED DETERRENCE FUND.


SEC. 1023. AMENDMENT TO NATIONAL SECURITY IMPLICATIONS OF POLICIES TOWARD CUBA.

(a) IN GENERAL.—The Secretary of Defense shall not be permitted to transfer, release, or assist in the transfer or release to or within the United States territory of any Guantanamo detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after January 20, 2009, at United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

(b) TRANSFER FOR DETENTION AND TRIAL.—The Secretary of Defense may transfer a detainee described in subsection (a) to the United States for detention pursuant to the Authorization for Use of Military Force (Public Law 107–56), trial, and incarceration if the Secretary—

(1) determines that the transfer is in the national security interest of the United States;

(2) determines that appropriate actions have been taken, or will be taken, to address any risk to public safety that could arise in connection with detention and trial in the United States; and

(3) notifies the appropriate committees of Congress that the transfer will not occur later than 90 days before the date of the proposed transfer.

(c) NOTIFICATION ELEMENTS.—A notification on a transfer under subsection (b)(3) shall include the following:

(1) A statement of the basis for the determination that the transfer is in the national security interest of the United States;

(2) A description of the action the Secretary determines have been taken, or will be taken, to address any risk to public safety that could arise in connection with detention and trial in the United States;

(3) A statement of the basis for the determination that the transfer is in the national security interest of the United States;

(4) A description of the action the Secretary determines have been taken, or will be taken, to address any risk to public safety that could arise in connection with detention and trial in the United States; and

(5) A statement of the basis for the determination that the transfer is in the national security interest of the United States;

(6) A description of the action the Secretary determines have been taken, or will be taken, to address any risk to public safety that could arise in connection with detention and trial in the United States.
section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17)), or any other law or regulation; and
(4) shall not, as a result of such transfer, have the effect of detaining an unprivileged enemy belligerent for detention pursuant to the Authorization for Use of Military Force, pending the end of hostilities or a future determination by the Secretary of Defense that such detainee no longer poses a threat to the United States or United States persons or interests.
(5) A plan for the disposition of any individual held by the Armed Forces under the law of armed conflict after the date of the report, including a plan to detain and interrogate such individuals for the purposes of
(i) protecting the security of the United States, its persons, allies, and interests; and
(ii) ensuring the security of the United States, its person, allies, and interests.
(3) FORM.—The report required by paragraph (1) shall be in unclassified form, but may include a classified annex.
(h) CONSIDERATION BY CONGRESS OF SECRETARY OF DEFENSE PLAN.—
(1) TERMINATION.—For purposes of this section the term “joint resolution” means only a joint resolution which is introduced within the 10-day period beginning on the date of the report of the Secretary of Defense submits to Congress a report under subsection (g) and—
(A) which does not have a preamble;
(B) the matter after the resolving clause of which is as follows: “That Congress approves the plan of the Secretary of Defense on the disposition of detainees held at United States Naval Station, Guantanamo Bay, Cuba, under section 1032(g) of the National Defense Authorization Act for Fiscal Year 2016 as submitted by the Secretary of Defense to Congress on , the blank space being filled in with the appropriate date; and
(C) the title of which is as follows: “Joint resolution approving the plan of the Secretary of Defense on the disposition of detainees held at United States Naval Station, Guantanamo Bay, Cuba.”
(2) REFERRAL.—A resolution described in paragraph (1) that is introduced in the House of Representatives shall be referred to the Committee on Armed Services of the House.
(3) DISCHARGE.—If the committee to which a resolution described in paragraph (1) is referred has not reported such resolution (or an identical resolution) by the end of the 20-day period beginning on the date on which the Secretary submits to Congress a report under subsection (g), such committee shall, at the end of such period, discharge from further consideration of such resolution, and such resolution shall be placed on the appropriate calendar of the House involved.
(4) CONSIDERATION.—(A) On or after the third day after the date on which the committee to which the resolution referred has reported, or has been discharged (under paragraph (3)) from further consideration of, such a resolution, it is in order (even though a previous motion to the same effect has been disagreed to) for any Member of the respective House to move to proceed to the consideration of the resolution. A Member may move such motion only the day after the 20-day period beginning on the date on which the Secretary submits to Congress a report under subsection (g) that such committee shall, at the end of such period, discharged from further consideration of such resolution, and such resolution shall be placed on the appropriate calendar of the House involved.
(5) LIMITATION.—(A) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a resolution described in paragraph (2), and it supersedes other rules only to the extent that it is inconsistent with such rules; and
(B) with full recognition of the constitutional right of either House to make the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.
(1) LIMITATION ON TRANSFER OR RELEASE OF DETAINES TRANSFERRED TO THE UNITED STATES.
(1) LIMITATION PENDING ENACTMENT OF JOINT RESOLUTION APPROVING PLAN.—Notwithstanding any other provision of law and subject to paragraph (2), any individual detained at Guantanamo Bay, Cuba, as of October 1, 2009, who—

(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(B) is—

(i) in the custody or under the control of the Department of Defense; or

(ii) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

shall be transferred or released in accordance with the procedures under section 1033.

(2) LIMITATION ON TRANSFER OVERSEAS AFTER ENACTMENT OF JOINT RESOLUTION APPROVING PLAN EFFECTIVE ON THE EFFECTIVE DATE SPECIFIED IN SUBSECTION (F)—


(B) the procedures under section 1035, as so revived, shall apply to the transfer of individuals detained at Guantanamo to foreign countries rather than the procedures under section 1033; and

(C) in the application of procedures under such section 1035 as described in subparagraph (B), any reference to an individual detained at Guantanamo shall be deemed to refer to an individual transferred to the United States after such effective date.

(3) REPEAL OF SUPERSEDED PROHIBITION.—


(k) DEFINITIONS.—In this section:

(1) the term "appropriate committees of Congress'' means—

(A) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) the term "individual detained at Guantanamo'' means any individual located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—

(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(B) is—

(i) in the custody or under the control of the Department of Defense; or

(ii) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

SEC. 1033. REENACTMENT AND MODIFICATION OF CERTAIN PRIOR REQUIREMENTS FOR CERTIFICATIONS RELATING TO TRANSFER OF DETAINEE TO UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO FOREIGN ENTITIES AND OTHER FOREIGN ENTITIES.

(a) CERTIFICATION REQUIRED PRIOR TO TRANSFER.—

(1) IN GENERAL.—Except as provided in paragraph (2) and subsection (d), the Secretary of Defense may not use any amounts authorized to be appropriated or otherwise available to the Department of Defense to transfer any individual detained at Guantanamo to the custody or control of the individual’s country of origin, any other foreign country, or any other foreign entity unless the Secretary submits to the appropriate committees of Congress the certification described in subsection (b) not later than 30 days before the Individuals to be transferred are released in accordance to transferring any individual detained at Guantanamo to the custody or control of the individual’s country of origin, any other foreign country, or any other foreign entity unless the Secretary submits to the appropriate committees of Congress the certification described in subsection (b) not later than 30 days before the Individuals to be transferred are released.

(2) EXCEPTION.—Paragraph (1) shall not apply to any action taken by the Secretary to transfer any individual detained at Guantanamo to effectuate an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States after enactment of which the Secretary shall notify the appropriate committees of Congress of prompt action after issuance.

(b) CERTIFICATION.—A certification described in this subsection is a written certification made by the Secretary of Defense, with the concurrence of the Secretary of State and in consultation with the Director of National Intelligence, that—

(1) the government of the foreign country or entity to which the individual is to be transferred—

(A) is not a designated state sponsor of terrorism or a designated foreign terrorist organization;

(B) maintains control over each detention facility in which the individual is to be housed in a detention facility;

(C) is not, as of the date of the certification, facing a threat that is likely to substantially affect its ability to exercise control over the individual;

(D) has taken or agreed to take effective actions to ensure that the individual cannot take action to threaten the United States, its citizens, or its allies in the future;

(D) is not, as of the date of the certification, facing a threat that is likely to substantially affect its ability to exercise control over the individual;

(E) has taken or agreed to take such actions as the Secretary determines are necessary to ensure that the individual cannot engage or reengage in any terrorist activity; and

(F) has agreed to share with the United States any information that—

(i) is related to the individual or any associates of the individual; and

(ii) could affect the security of the United States, its citizens, or its allies;

(2) the United States Government and the government of the foreign country have entered into a written memorandum of understanding (MOU) regarding the transfer of the individual and such memorandum of understanding has previously been transmitted to the appropriate committees of Congress; and

(3) includes an assessment, in classified or unclassified form, of the capacity, willingness, and past practices (if applicable) of the foreign country or entity in relation to the Secretary’s certifications.

(c) PROHIBITION IN CASES OF PRIOR CONCLUSION.—

(1) PROHIBITION.—Except as provided in paragraph (2) and subsection (d), the Secretary of Defense may not use any amounts authorized to be appropriated or otherwise available to the Department of Defense to transfer any individual detained at Guantanamo to the custody or control of the individual’s country of origin, any other foreign country, or any other foreign entity if there is a confirmed case of any individual who was detained at United States Naval Station, Guantanamo Bay, Cuba, in any manner prior to September 11, 2001, who was transferred to such foreign country or entity and subsequently engaged in any terrorist activity.

(2) EXCEPTION.—Subject to subsection (e), paragraph (1) shall not apply to any action taken by the Secretary to transfer any individual detained at Guantanamo to effectuate an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction (which the Secretary shall notify the appropriate committees of Congress of prompt action after issuance).

(d) NATIONAL SECURITY WAIVER.—

(1) IN GENERAL.—Subject to subsection (e), the Secretary may give favorable consideration to an individual as described in paragraph (1) if the Secretary certifies the rest of the criteria required by subsection (b)(1) and (2), and with the concurrence of the Secretary of State and in consultation with the Director of National Intelligence, determines that—

(2) REPORTS.—Each certification under subsection (b) or report under subsection (d)(2) that includes an assessment in which favorability of consideration was given an individual as described in paragraph (1) shall also include the following:...
(A) A description of the cooperation for which favorable consideration was so given.
(B) A description of operational outcomes, if any, affected by such cooperation.

(1) [omitted]
(2) [omitted]

(3) The Department of Defense has provided for appropriate security measures for the custody and control of the individual during any period in which the individual is temporarily in the United States under this subsection; and

(4) except in cases involving the especially immediate need for the provision of medical treatment to prevent death or imminent significant injury or harm to the health of the individual, as soon as practicable, but not later than 5 days after the date of transfer.

(2) NOTICE ELEMENTS.—The notice on the transfer of an individual under this subsection shall include the following:

(A) A statement of the basis for the determination that the transfer is necessary to prevent death or imminent significant injury or harm to the health of the individual.

(B) A description of the actions the Secretary determines have been taken, or will be taken, to address any risk to the public safety that could arise in connection with the provision of medical treatment to the individual in the United States.

(c) LIMITATION ON JURISDICTION.—The United States District Court for the District of Columbia shall have exclusive jurisdiction to consider an application for writ of habeas corpus challenging the fact or duration of detention and seeking release from custody filed by or on behalf of an individual who is in the United States to transfer an individual under subsection (a). Such jurisdiction shall be limited to that required by the Constitution with respect to the fact or duration of detention.

(B) SCOPE OF AUTHORITY.—A court order in a proceeding covered by paragraph (3) may not—

(i) issue an arrest warrant;

(ii) review, halt, or stay the return of the individual which is the object of the application.

(1) NO CREATION OF ENFORCEABLE RIGHTS.—Nothing in this section is intended to create any enforceable right or benefit, or any claim or cause of action, by any party against the United States, or any other person or entity.

(2) LIMITATION ON JUDICIAL REVIEW.—Except as provided in paragraph (3), no court, justice, or judge shall have jurisdiction to hear or consider any claim or action against the United States or its agents relating to any aspect of the detention, transfer, or conditions of confinement of an individual transferred under this section.

(3) HABEAS CORPUS.—(A) JURISDICTION.—The United States District Court for the District of Columbia shall have exclusive jurisdiction to consider an application for writ of habeas corpus challenging the fact or duration of detention and seeking release from custody filed by or on behalf of an individual who is in the United States to transfer an individual under subsection (a). Such jurisdiction shall be limited to that required by the Constitution with respect to the fact or duration of detention.

(B) SCOPE OF AUTHORITY.—A court order in a proceeding covered by paragraph (3) may not—

(i) issue an arrest warrant;

(ii) review, halt, or stay the return of the individual which is the object of the application.

(1) NO CREATION OF ENFORCEABLE RIGHTS.—Nothing in this section is intended to create any enforceable right or benefit, or any claim or cause of action, by any party against the United States, or any other person or entity.
SEC. 1035. PROHIBITION ON USE OF FUNDS FOR TRANSFER OR RELEASE TO YEMEN OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

Notwithstanding any other provision of law, as authorized to be appropriated by this Act or otherwise available for the Department of Defense may be used, during the period beginning on the date of the enactment of this Act and ending on December 31, 2016, to transfer, release, or assist in the transfer or release of any individual detained in the custody or under the control of the Department of Defense at United States Naval Station, Guantanamo Bay, Cuba, to the custody or control of the Republic of Yemen, or any entity within Yemen.

SEC. 1036. REPORT ON CURRENT DETAINES AT YEMEN OR ANY ENTITY WITHIN YEMEN.

(a) REPORT REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees and members of Congress a report, in unclassified form, setting forth a list of the individuals detained at Guantanamo as of the date of the enactment of this Act who have been determined to or assessed as a high-risk or medium-risk threat to the United States, its interests, or its allies.

(b) ELEMENTS.—The report under subsection (a) shall set forth, for each individual covered by the report, the following:

(1) The name and country of origin.

(2) The date on which first designated or assessed as a high-risk or medium-risk threat to the United States, its interests, or its allies.

(3) Whether, as of the date of the report, currently designated or assessed as a high-risk or medium-risk threat to the United States, its interests, or its allies.

(4) If the designation or assessment changed between the date specified pursuant to paragraph (2) and the date of the report, the year and month in which the designation or assessment changed and the designation or assessment to which changed.

(5) To the extent practicable, without jeopardizing national security interests and methods—

(A) prior actions in support of terrorism, hostile actions against the United States or its allies, gross violations of human rights, and other violations of international law; and

(B) any affiliations with al Qaeda, al Qaeda affiliates, or other terrorist groups.

(c) DEFINITIONS.—In this section:

(1) The term ‘‘appropriate committees and members of Congress’’ means—

(A) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(B) the Majority Leader and the Minority Leader of the Senate;

(C) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives; and

(D) the Speaker of the House of Representatives and the Minority Leader of the House of Representatives.

(2) The term ‘‘individual detained at Guantanamo’’ means any individual located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—

(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(B) is—

(i) in the custody or under the control of the Department of Defense; or

(ii) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

SEC. 1037. REPORT TO CONGRESS ON MEMORANDUM OF UNDERSTANDING WITH FOREIGN COUNTRIES REGARDING TRANSFER OF DETAINES AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) REPORT REQUIRED.—

(1) In general.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall transmit to the appropriate committees of Congress a report on the memorandum of understanding between the United States Government and the government of the foreign country regarding such individual, the report under paragraph (1) shall include an unclassified statement of that fact.

(b) DEFINITIONS.—In this section:

(1) The term ‘‘appropriate committees of Congress’’ means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, the Permanent Select Committee on Intelligence of the House of Representatives.

(2) The term ‘‘individual detained at Guantanamo’’ means any individual located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—

(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(B) is—

(i) in the custody or under the control of the Department of Defense; or

(ii) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

SEC. 1038. SEMIANNUAL REPORTS ON USE OF UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, AND ANY OTHER DEPARTMENT OF DEFENSE OR BUREAU OF PRISONS PRISON OR OTHER DETENTION OR DISCIPLINARY FACILITY IN RECRUITMENT AND OTHER PROPAGANDA FOR TERRORIST ORGANIZATIONS.

(a) IN GENERAL.—Not later than six months after the date of the enactment of this Act, and every six months thereafter, the Secretary of Defense shall, in consultation with the Director of National Intelligence, submit to Congress a report on the use by terrorist organizations and their leaders of images and symbols relating to United States Naval Station, Guantanamo Bay, Cuba, and any other Department of Defense or Bureau of Prisons prison or other detention or disciplinary facility for recruitment and other propaganda purposes.

(b) DEFINITIONS.—In this section:

(1) The term ‘‘terrorism’’ includes acts of terrorism described in section 2331 of title 18, United States Code, and terrorist organizations, as defined in section 212 of the Immigration and Nationality Act.

(2) The term ‘‘foreign country’’ means—

(A) any country designated as a state sponsor of terrorism; and

(B) any other country that the Secretary designates a country as a `state sponsor of terrorism’’.

(c) REQUIREMENTS.—The report required by subsection (a) shall include—

(1) A description of the use of images and symbols for such purposes and to disseminate accurate information about such facilities.

(2) ADDITIONAL MATERIAL IN FIRST REPORT.—The first report under subsection (a) shall include a description of the use by terrorist organizations and their leaders of images and symbols relating to United States Naval Station, Guantanamo Bay, Cuba, and any other Department of Defense or Bureau of Prisons prison or other detention or disciplinary facility for recruitment and other propaganda purposes before the date of the enactment of this Act.

SEC. 1039. EXTENSION AND MODIFICATION OF AUTHORITY TO MAKE REWARDS FOR COMBATANTS OF TERRORIST ORGANIZATIONS.

(a) EXTENSION OF AUTHORITY TO MAKE REWARDS FOR COMBATANTS OF TERRORIST ORGANIZATIONS.

(1) In general.—The term ‘‘combatant of terrorist organizations’’ includes—

(A) a person who provides support to terrorist organizations; and

(B) a person who trains members of terrorist organizations.

(2) Period covered.—The period covered under the original authority of this Act is extended to the December 31, 2015, as amended by striking ‘‘September 30, 2015’’ and inserting ‘‘December 31, 2015’’.

(b) MODIFICATION OF REWARD REQUIREMENTS.—Subsection (f)(2) of such section is amended—

(1) by striking subparagraph (D);

(2) by redesignating subparagraphs (E), (F), and (G) as subparagraphs (D), (E), and (F), respectively; and

(3) in subparagraph (D), as redesignated by paragraph (2), by inserting before the period at the end the following: ‘‘$10,000,000, including in the case of a person designated as a `combatant of terrorist organizations’’.

SEC. 1041. ASSISTANCE TO SECURE THE SOUTHERN LAND BORDER OF THE UNITED STATES.

(a) IN GENERAL.—The Secretary of Defense shall provide assistance to United States Customs and Border Protection for purposes of increasing ongoing efforts to secure the southern land border of the United States.

(b) CONCURRENCE IN ASSISTANCE.—Assistance under subsection (a) shall be provided with the concurrence of the Secretary of Homeland Security.

(c) TYPES OF ASSISTANCE AUTHORIZED.—The assistance provided under subsection (a) may include the following:

(1) Deployment of members and units of the regular and reserve components of the
Armed Forces to the southern land border of the United States.

(2) Deployment of manned aircraft, unmanned aerial surveillance systems, and ground-based surveillance systems to support continuous surveillance of the southern land border of the United States.

(3) Intelligence analysis support.

(d) MINISTERS, SUPPORT.—The Secretary of Defense is authorized to deploy such material and equipment and logistics support as is necessary to ensure the effective use of assistance provided under subsection (a).

(e) FUNDING.—Of the amounts authorized to be appropriated for the Department of Defense under this section, the Secretary of Defense may use up to $75,000,000 to provide assistance under this section.

(f) REPORTS.—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter, the Secretary of Defense shall report to the congressional defense committees a report on any provision of this title that is implemented.

SEC. 1042. STRATEGIES TO PROTECT UNITED STATES NATIONAL SECURITY INTERESTS IN THE ARCTIC REGION.

(a) REPORT ON STRATEGY REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report that sets forth an updated military strategy for the protection of United States national security interests in the Arctic region.

(b) ELEMENTS.—The report required by subsection (a) shall include—

(1) A description of United States military interests in the Arctic region.

(2) Description of any such authority outside the property specified in paragraph (a) that can be exercised by personnel in that category.

(3) The circumstances under which coordination with law enforcement officials outside of the Department of Defense should be sought in advance.

(4) FACILITIES AND SERVICES OF OTHER AGENCIES.—In implementing this section, the Secretary of Defense shall coordinate with other Federal agencies to the extent that their cooperation is necessary for the protection of the property under the jurisdiction, custody, or control of the Department of Defense and that are located off of a military installation.

(5) COOPERATION WITH LOCAL LAW ENFORCEMENT AGENCIES.—Before authorizing civilian officers and agents to perform duty in areas outside the property specified in paragraph (a), the Secretary of Defense shall consult with, and enter into agreements with, local law enforcement agencies exercising jurisdiction over such areas for the purposes of avoiding conflicts of jurisdiction, promoting notification of planned law enforcement actions, and otherwise facilitating productive working relationships.

(6) To restrict any other authority of the Secretary of Defense or the Secretary of a military department; or

(7) To restrict the authority of the Director of the National Security Agency under section 11 of the National Security Agency Act of 1959 (50 U.S.C. 3099).
SEC. 1044. EXTENSION OF LIMITATIONS ON THE TRANSFER TO THE REGULAR ARMY OF AH-64 APACHE HELICOPTERS AS CONGREGATED TO THE ARMY NATIONAL GUARD.

(a) Extension.—Section 1712 of the Carl Levin and Howard B. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3668). (b) Transfer of AH–64 Apache helicopters as counted against the Army National Guard. (c) Order.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SEC. 1045. TREATMENT OF CERTAIN PREVIOUSLY TRANSFERRED ARMY NATIONAL GUARD HELICOPTERS AS COUNTING AGAINST NUMBER TRANSFERREABLE UNDER EXCEPTION TO LIMITATION ON THE TRANSFER TO THE ARMY NATIONAL GUARD HELICOPTERS.

(a) Notice to Congress.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Army shall submit to the Congress and the defense committees a report setting forth the number of AH–64D Apache helicopters that have been transferred from the Army National Guard to the original equipment manufacturer for the purpose of remanufacture to the AH–64E Apache helicopter variant.

(b) Treatment as Counting Against Number Transferred. (c) Construction With Required Certification.—Nothing in this subsection may be construed to alter or terminate the requirement for a certification by the Secretary of Defense pursuant to subsection (f) of section 1712 of the Carl Levin and Howard B. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3668).

SEC. 1046. MANAGEMENT OF MILITARY TECHNICIANS.

(a) Conversion of Certain Military Technician (Dual Status) Positions to Civilian Positions.—

(1) In General.—The Secretary of Defense shall not fill fewer than 20 percent of the positions described in paragraph (2) as of January 1, 2017, from military technician (dual status) positions to positions filled by individuals who are employed under section 3011 of title 5 United States Code, and are military technicians.

(2) Covered Positions.—

(2)(A) The positions described in paragraph (1) are positions described in subsection (c) of such section.

(3) Conversion of Positions for the Army Reserve, Air Force Reserve, and National Guard Non-Dual Status Technicians.—

(1) In General.—Section 10217 of title 10, United States Code, is amended by adding at the end the following new subsection:

(2) Commencing January 1, 2017, the maximum number of non-dual status technicians employed by the Army Reserve and by the Air Force Reserve shall be reduced from the maximum number otherwise provided by subsection (c)(1) by one for each individual who retires, is separated from, or otherwise ceases service as a non-dual status technician of the National Guard after December 31, 2015.

(3) Commencing January 1, 2017, the maximum number of non-dual status technicians employed by the Army Reserve and by the Air Force Reserve shall be reduced from the maximum number otherwise provided by subsection (c)(1) by one for each individual who retires, is separated from, or otherwise ceases service as a non-dual status technician of the National Guard after December 31, 2015.

(4) Any individual newly hired or employed, or rehired or employed, to a position required to be filled by reason of the amendment made by paragraph (1) shall be an individual employed in that position under section 3011 of title 5, and may not be a military technician.

(5) Nothing in this subsection shall be construed to convert to that status a non-dual status technician under this section after December 31, 2016, of any individual who is a non-dual status technician for the purposes of that date.

(2) Report on Phased-In Terminations.—

Not later than February 1, 2016, the Secretary of Defense shall submit to Congress a report setting forth a plan for implementing the amendment made by paragraph (1).

SEC. 1047. SENSE OF CONGRESS ON CONSIDERATION OF A WIDER RANGE OF DEPARTMENT OF DEFENSE MANPOWER WORLDWIDE IN DECISIONS ON THE USE OF THE UNITED STATES MILITARY, CIVILIAN, AND CONTRACTOR PERSONNEL TO ACCOMPLISH THE NATIONAL DEFENSE STRATEGY.

It is the sense of Congress that, as the Department of Defense makes decisions on military end strength requests, proper sizing of the civilian workforce, and the proper mix of these sources of manpower with contractor personnel to accomplish the National Defense Strategy, the Secretary of Defense should consider the full range of manpower available to the Secretary in all locations worldwide in order to arrive at the proper mix and size of manpower to accomplish the Strategy without arbitrarily protecting or exempting any particular group or location from necessary reductions.
(D) develop, in coordination with the Army and the Air Force, those phases of amphibious operations that pertain to the tactics, techniques, and equipment used by landing forces.

(E) responsible, in accordance with the integrated joint mobilization plans, for the expansion of peacekeeping components of the Marine Corps, as necessary.

Subtitle F—Studies and Reports

SEC. 1061. REPEAL OF REPORTING REQUIREMENTS.

(a) REPORTS UNDER TITLE 10, UNITED STATES CODE.—

(1) ANNUAL REPORT ON GIFTS MADE FOR THE BENEFIT OF MILITARY MUSICAL UNITS.—Section 97a(d) of title 10, United States Code, is amended by striking paragraph (3).

(2) BIENNIAL REPORT ON SPACE SCIENCE AND TECHNOLOGY STRATEGY.—Section 2272(a) of title 10, United States Code, is amended by striking paragraph (5).

(3) ANNUAL REPORT ON PRIZES FOR ADVANCED TECHNOLOGY ACHIEVEMENTS.—Section 2374a of title 10, United States Code, is amended—

(A) by striking subsection (e); and

(B) by redesignating subsection (f) as subsection (e).

(b) REPORTS UNDER PUBLIC LAW 113–66.—

(1) REPORTS ON USE OF TEMPORARY AUTHORITIES FOR CERTAIN POSITIONS AT DOD RESEARCH AND ENGINEERING FACILITIES.—Section 1107 of the National Defense Authorization Act for Fiscal Year 2014 (127 Stat. 2538 note) is amended—

(A) by striking subsection (g); and

(B) by redesignating subsection (h) as subsection (g).

(2) ANNUAL REPORT ON ADVANCING SMALL BUSINESS GROWTH.—Section 1611 of the National Defense Authorization Act for Fiscal Year 2013 (126 Stat. 1729) is amended by striking subsection (d).

(c) REPORTS UNDER PUBLIC LAW 112–239.—

(1) ANNUAL REPORTS ON QUALITY ASSURANCE PROGRAMS FOR MEDICAL EVALUATION BOARDS AND PHYSICIAN EVALUATION BOARDS AND RELATED PERSONNEL.—Section 524 of the National Defense Authorization Act for Fiscal Year 2014 (127 Stat. 96) is amended by striking subsection (d).

(2) ANNUAL IMPACT STATEMENT ON NUMBER OF MEMBERS IN INTEGRATED DISABILITY EVALUATION SYSTEM ON READINESS REQUIREMENTS.—Section 502 of the National Defense Authorization Act for Fiscal Year 2013 (126 Stat. 1725) is repealed.

(d) SENSE OF CONGRESS ON NOTICE ON UNFUNDED AUTHORITIES.—Section 1003 of the National Defense Authorization Act for Fiscal Year 2013 (126 Stat. 1903) is repealed.

(e) ANNUAL UPDATES ON IMPLEMENTATION PLAN FOR WORKFORCE-OF-GOVERNMENT VISION PRESCRIBED IN THE NATIONAL SECURITY STRATEGY.—Section 1072 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–33; 126 Stat. 2750; 50 U.S.C. 3903 note) is amended—

(1) by striking subsection (b); and

(2) by redesigning subsection (c) as subsection (b).

(f) REPORTS UNDER PUBLIC LAW 111–383.—


(A) by redesigning section (f); and

(B) by redesigning subsection (g) as subsection (f).

(2) REPORT ON TASK FORCE FOR BUSINESS AND SECURITY INTEGRATIONS.—Section 1535(a) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (124 Stat. 4426) is amended by striking paragraph (6).


(5) ANNUAL REPORTS ON THE USE OF TEMPORARY AUTHORITIES FOR THE NATIONAL SECURITY PERSONNEL SYSTEM.—Section 501 of the National Defense Authorization Act for Fiscal Year 2007 (Public Law 110–113; 121 Stat. 417) is amended—

(1) by striking paragraph (3).

(2) by redesigning paragraphs (4) and (5) as paragraphs (3) and (4).

(j) ANNUAL REPORT ON CENTER OF EXCELLENCE ON TRAUMATIC EXTREMITY INJURIES AND AMPUTATIONS.—Section 723 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (122 Stat. 4508) is amended by striking (d).

(k) ANNUAL REPORT ON EXPERIMENTAL PERSONNEL MANAGEMENT PROGRAM OF THE DEPARTMENT OF DEFENSE.—

(1) ANNUAL REPORT ON THE EXPERIMENTAL PERSONNEL MANAGEMENT PROGRAM OF THE DEPARTMENT OF DEFENSE.—

(a) TERMINATION.—Effective on the date that is two years after the date of the enactment of this Act, each report described in subsection (b) that is still required to be submitted to Congress as of such effective date shall no longer be required to be submitted to Congress.

(b) COVERED REPORTS.—A report described in this subsection is a report that is required to be submitted to Congress by the Department of Defense, or by any officer, official, component, or element of the Department, by a provision of statute (including title 10, United States Code) as of April 1, 2015.

SEC. 1062. TERMINATION OF REQUIREMENT FOR ANNUAL SUBMITTAL TO CONGRESS OF REPORTS REQUIRED BY THE NATIONAL SECURITY PERSONNEL SYSTEM.

Not later than March 1, 2016, and each year thereafter, the Secretary of Defense shall submit to the congressional defense committees each of the following:

(1) The most current Munitions Assessments, as defined by Department of Defense Instruction Number 3000.04, relating to the Department of Defense; and

(2) The most current Sufficiency Assessments, as defined by that Department of Defense Instruction.

Not later than March 1, 2016, and each year thereafter, the Secretary of Defense and the Chairman of the Joint Chiefs of Staff shall jointly conduct a comprehensive operational assessment, as defined by Department of Defense Instruction Number 3000.04, relating to the Department of Defense, or by any officer, official, component, or element of the Department, by a provision of statute (including title 10, United States Code) as of April 1, 2015.

SEC. 1064. POTENTIAL ROLE FOR UNITED STATES GROUND FORCES IN THE PACIFIC THEATER.

(a) GENERAL ASSIGNMENT REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense and the Chairman of the Joint Chiefs of Staff shall jointly conduct a comprehensive operational assessment, as defined by Department of Defense Instruction Number 3000.04, relating to the Department of Defense, or by any officer, official, component, or element of the Department, by a provision of statute (including title 10, United States Code) as of April 1, 2015.

(b) COVERED REPORTS.—A report described in this subsection is a report that is required to be submitted to Congress by the Department of Defense, or by any officer, official, component, or element of the Department, by a provision of statute (including title 10, United States Code) as of April 1, 2015.

SEC. 1065. PLANNING REQUIREMENTS.

Not later than March 1, 2016, and each year thereafter, the Secretary of Defense shall submit to the congressional defense committees each of the following:

(1) The most current Munitions Assessments, as defined by Department of Defense Instruction Number 3000.04, relating to the Department of Defense; and

(2) The most current Sufficiency Assessments, as defined by that Department of Defense Instruction.

Not later than March 1, 2016, and each year thereafter, the Secretary of Defense and the Chairman of the Joint Chiefs of Staff shall jointly conduct a comprehensive operational assessment, as defined by Department of Defense Instruction Number 3000.04, relating to the Department of Defense, or by any officer, official, component, or element of the Department, by a provision of statute (including title 10, United States Code) as of April 1, 2015.

SEC. 1066. POTENTIAL ROLE FOR UNITED STATES GROUND FORCES IN THE PACIFIC THEATER.

(a) GENERAL ASSIGNMENT REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense and the Chairman of the Joint Chiefs of Staff shall jointly conduct a comprehensive operational assessment, as defined by Department of Defense Instruction Number 3000.04, relating to the Department of Defense, or by any officer, official, component, or element of the Department, by a provision of statute (including title 10, United States Code) as of April 1, 2015.

(b) COVERED REPORTS.—A report described in this subsection is a report that is required to be submitted to Congress by the Department of Defense, or by any officer, official, component, or element of the Department, by a provision of statute (including title 10, United States Code) as of April 1, 2015.

SEC. 1063. ANNUAL SUBMITTAL TO CONGRESS OF REPORTS REQUIRED BY THE NATIONAL SECURITY PERSONNEL SYSTEM.

Not later than March 1, 2016, and each year thereafter, the Secretary of Defense shall submit to the congressional defense committees each of the following:

(1) The most current Munitions Assessments, as defined by Department of Defense Instruction Number 3000.04, relating to the Department of Defense; and

(2) The most current Sufficiency Assessments, as defined by that Department of Defense Instruction.

(3) The most current approved memorandum of the Joint Requirements Oversight Council resulting from the Munitions Requirements Process for the year in which the memorandum was issued.
posture in the Pacific theater of a strategy of long-term engagement by United States ground forces with the island nations of the western Pacific to enhance United States strategic relationships with potential partners in the region. (c) TYPES OF ANALYSES TO BE CONDUCTED.—The Secretary and the Chairman shall conduct the assessment required by subsection (a) using operations research methods and war gaming, in addition to historical analysis of the use of ground forces by the United States and Japan in the Pacific theater during World War II. (d) RESOURCES.—In conducting the assessment under subsection (a), the Secretary and the Chairman shall use the following: (1) The United States Pacific Command; (2) The Joint Requirements and Analysis Division and the war gaming resources of the Warfighting Analysis Division of the Force Structure, Resources, and Assessment Directorate of the Joint Staff, augmented as necessary and appropriate from the war colleges of the military departments; (3) The Office of Net Assessment. (e) NATIONAL SECURITY PLAN FUNDED RESEARCH AND DEVELOPMENT CENTERS.—In conducting the assessment under subsection (a), the Secretary and the Chairman shall have the following authorities: (1) The Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and (2) The Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives. Subtitle G—Other Matters SEC. 1081. TECHNICAL AND CLERICAL AMENDMENTS. (a) AMENDMENTS TO TITLE 10, UNITED STATES CODE.—Title 10, United States Code, is amended as follows: (1) The tables of chapters at the beginning of this title are amended by striking the item relating to chapter 19 and inserting the following new item: “19. Cyber Matters ........................................... 391”. (2) The heading of section 1302 is amended to read as follows: “1302. Treatment under Freedom of Information Act of certain critical infrastructures security information”. (3) The heading of section 158a(9) is amended to read as follows: “TACTICAL EXPLOITATION OF NATIONAL CAPABILITIES AN ACT”. (4) The table of sections at the beginning of chapter 19 is amended by striking the item relating to section 391 and inserting the following new item: “391. Reporting on cyber incidents with respect to networks and information systems of operationally critical contractors and certain other contractors.”. (5) The table of sections at the beginning of chapter 21 is amended by inserting after the item relating to section 429 the following new item: “430. Tactical exploitation of national capabilities executive agent.”. (6) Section 206a is amended— (A) in subsection (a), by striking “August, 1” and inserting “September 1” and “(B) by striking “the such program or authority” and inserting “the program”. (7) Sections 2223(j)(5), 2223(c)(3), and 2315 are each amended by striking “section 3522(b)(5)” and inserting “section 3522(b)(6)”. (8) Section 2223(d)(1) is amended by striking “certification” and inserting “a certification”. (9) Section 2679, as transferred, redesignated, and amended by section 351 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3366) is amended in subsection (a)(1) by striking “a critical source”. (10) Section 2684(d)(1) is amended by striking “section 101(a) of the National Historic Preservation Act (16 U.S.C. 170a)” and inserting “section 302101 of title 54”. (11) Section 2687a(d)(2) is amended by inserting “fair market” before “value”. (12) Section 2687a, as added by section 901(g) of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (128 Stat. 3454), is amended and section 901(g) of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291) is amended as follows: (1) Section 351(b)(1) (128 Stat. 3366) is amended by striking the period at the end of subparagraph (C) and inserting “; and”; (2) Section 901(g)(1)(F) (128 Stat. 3465) is amended by inserting “paragraph (4)” before ‘‘paragraph (4)’’; (3) Section 1072(a)(2) (128 Stat. 3516) is amended by inserting “in the table of sections” before “at the beginning of”; (4) Section 1079a(a)(1) (128 Stat. 3561) is amended by striking “section 12102 of title 42, United States Code” and inserting “section 3 of the America with Disabilities Act of 1990 (42 U.S.C. 12102)”.; (5) Section 110(b)(2) (128 Stat. 3526) is amended by striking “paragraph (2)” and inserting “paragraphs (2) and (3)”.; (6) Section 1206 (128 Stat. 3551) is amended by striking “of Fiscal Year” each place it appears and inserting “for Fiscal Year”.; (7) Section 2222(j)(5), 2223(c)(3), and 2315 are each amended by striking “section 3522(b)(5)” and inserting “section 3522(b)(6)”. (8) Section 3006(c) (128 Stat. 3744) is amended— (A) in paragraph (1), by striking “Section 8” and inserting “Section 18”; and (B) in paragraph (3) by striking “121 N2 SE1/4” and inserting “121 N2 SE2/4”. (9) Section 3023 (128 Stat. 3762) is amended— (A) by redesignating paragraphs (1), (2), and (3) as paragraphs (2), (3), and (4), respectively; (B) in paragraph (2), as so redesignated, in the matter before adding by subparagraph (C)— (i) by inserting “has been waived”, after “expired”; and (ii) by inserting “the permit or lease required” and inserting “the allotment management plan, permit, or lease required”; (C) in paragraph (4), as so redesignated, in the matter before adding by subparagraph (h)(1)— (i) by striking “a grazing permit or lease” in the matter preceding subparagraph (A) of
SEC. 1082. AUTHORITY TO PROVIDE TRAINING AND SUPPORT TO PERSONNEL OF FOREIGN MINISTRIES OF DEFENSE.


(1) by redesignating subsections (b) through (e) as subsections (c) through (f), respectively; and

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

“(b) TRAINING OF PERSONNEL OF FOREIGN MINISTRIES WITH SECURITY MISSIONS.—

“(1) IN GENERAL.—The Secretary of Defense may, in the case of the Government of the Republic of Korea or the Government of the United States, in order to help build effective, transparent, and accountable defense institutions; (ii) establishing responsible defense governance; and (iii) ensuring the effectiveness of the defense budgetary process, notify the appropriate committees of Congress of the intent of the Secretary of Defense to provide security-related training to individuals who are military service members of foreign governments who are not at an acceptable level of competence, the period of time during which the employee is not at an acceptable level of competence, and the number of employees who may be trained during such period.

“(2) INCLUSION OF INFORMATION IN INTERIM REPORT.—Subsection (d)(1) of such section is amended—

“(A) by striking ‘‘(C) INCLUSIONS IN INTERIM REPORT’’; and

“(B) by striking ‘‘(D) NOTICE TO CONGRESS’’.

“(B) NOTICE TO CONGRESS.—Each fiscal year quarter, the Secretary of Defense shall submit to the appropriate committees of Congress a report on activities under the program described in paragraph (1) during the preceding fiscal year quarter. Each report shall include, for the fiscal year quarter covered by such report, the following:

“(1) a list of activities under the program;

“(2) a list of any organization described in subsection (a) to which such activities are attributed;

“(3) the cost of such activities;

“(4) the number of veterans who—

“(A) received outreach from the Department of Veterans Affairs while serving on active duty as a member of the Armed Forces; and

“(B) participated in a peer support program for veterans transitioning from serving on active duty.

“(c) MODIFICATION OF CERTAIN REQUIREMENTS APPLICABLE TO MAJOR DEPARTMENT OF DEFENSE BUILDING PROGRAM.—The Secretary of Defense shall provide facilities to the appropriate committees of Congress for a major capital project under the Major Department of Defense Building Program if the Secretary determines that the project is required to meet national security needs.

“(d) EXPANSION OF PILOT PROGRAM.—Subsection (a) of section 601(b) of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 128 Stat. 1793) is amended—

“(1) by striking ‘‘ IN TULSA.—’’ and all that follows through ‘‘carrying out’’ and inserting ‘‘IN TULSA.—In carrying out’’;

“(2) by striking paragraph (3);

“(3) by striking subparagraphs (A) through (E) as paragraphs (1) through (5), respectively, and adjusting the indentation of the margin of such paragraphs, as so redesignated, two ems to the left;

“(4) in paragraph (1), as so redesignated, by striking ‘‘140,000 gross square feet’’ and inserting ‘‘190,000 net usable square feet’’;

“(5) in paragraph (2), as so redesignated, by striking ‘‘not more than the average of equivalent medical facilities leases executed by the Department of Veterans Affairs over the last five years, plus 20 percent;’’ and

“(6) in paragraph (5), as so redesignated, by striking ‘‘30-year life cycle’’ and inserting ‘‘20-year life cycle’’.

**TITLE XI—CIVILIAN PERSONNEL MATTERS**

SEC. 1101. EXPANSION OF PRORATION PERIOD FOR NEW EMPLOYEES OF THE DEPARTMENT OF DEFENSE.

(a) Required Proration Period.—(1) In general.—Chapter 31 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 1599e. Probationary period for employees

“(a) In general.—With respect to any employee of the Department of Defense, the appointment of a covered employee shall become final only after such employee has served a probationary period of two years. The Secretary of the military department concerned may extend a probationary period under this subsection at the discretion of such Secretary.

“(b) Covered employee defined.—In this section, the term ‘‘covered employee’’ means any covered individual —

“(1) appointed to a permanent position within the competitive service at the Department of Defense; or

“(2) appointed as a career appointee (as that term is defined in section 3132(a)(4) of title 5) within the Senior Executive Service at the Department.

“(c) Employment becomes final.—Upon the expiration of a covered employee’s probationary period under subsection (a), the appropriate committees shall determine whether the appointment becomes final based on regulations prescribed for such purpose by the Secretary.

“(d) Clerical amendment.—The table of sections at the beginning of chapter 81 of such title is amended by adding at the end the following:

“1599e. Probationary period for employees."

SEC. 1102. DELAY OF PERIODIC STEP INCREASE FOR CIVILIAN EMPLOYEES OF THE DEPARTMENT OF DEFENSE BASED UPON UNACCEPTABLE PERFORMANCE

(a) Delay.—Under procedures established by the Secretary of Defense, upon a determination by the Secretary that the work of an employee is not at an acceptable level of competence, the period of time during which the work of the employee is not at an acceptable level of competence shall not apply to any individual covered by section 1599e of title 10.

(b) Applicability to Periods of Service.—Subsection (a) shall apply with respect to any period of service performed before the date of the enactment of this Act.

SEC. 1103. PROCEDURES FOR REDUCTION IN FORCE OF DEPARTMENT OF DEFENSE CIVILIAN PERSONNEL

Section 1597 of title 10, United States Code, is amended by adding at the end the following:

“(7) Reductions based primarily on performance.—The Secretary of Defense shall establish procedures to provide that, in implementing any reduction in force for civilian positions in the Department of Defense in the competitive service or the excepted service, the determination of which employees shall be separated from employment in the Department shall be made primarily on the basis of performance, as determined using an applicable performance management system.

SEC. 1104. UNITED STATES CYBER COMMAND WORKFORCE

(a) Workforce.—(1) Chapter 2 of title 10, United States Code, is amended by adding at the end the following:

“1582. Workforce.

“(a) In general.—With respect to the United States Cyber Command, the President shall—

“(I) establish a workforce that includes civilians in a ratio of one to three for each military personnel of the United States Cyber Command; and

“(II) prescribe personnel requirements for the United States Cyber Command at any time when the National Cyber Director determines that the United States Cyber Command requires more military personnel. This paragraph shall be implemented in accordance with a report to the appropriate committees of Congress by the National Cyber Director on or before the date of the enactment of this Act. [June 2, 2015]
“(a) GENERAL AUTHORITY.—(1) The Secretary of Defense may—

(A) establish, as positions in the excepted service, such qualified positions in the Department as the Secretary determines necessary to carry out the responsibilities of the United States Cyber Command and—

(i) headquarters of the United States Cyber Command provided to the Command by the Air Force;

(ii) elements of the United States Cyber Command provided by the armed forces; and

(iv) any position established as a qualified position authorized by title 5.

(B) Basic Pay.—(1) In accordance with this section, the Secretary shall fix the rates of basic pay for any qualified position established under subsection (a)—

(A) in relation to the rates of pay provided for employees in comparable positions in the Department, in which the incumbent performs, manages, or supervises functions that execute the cyber mission of the Department; and

(B) subject to the same limitations on maximum rates of pay established for such employees by law or regulation.

(2) (A) consistent with section 5311 of title 5, adopt such provisions of that title as provide for prevailing rate systems of basic pay; and

(B) in relation to such positions for employees in or under which the Department may employ individuals described by section 5324(a)(2)(A) of such title.

(c) COMPENSATION, INCENTIVES, AND ALLOWANCES.—(1) The Secretary may provide employees in qualified positions compensation (in addition to basic pay), in the form of incentives, and allowances, consistent with, and not in excess of the level authorized for, comparable positions authorized by title 5.

(2) An employee in a qualified position whose rate of basic pay is fixed under subsection (b)(1) shall be eligible for an allowance under section 5311 of title 5 on the same basis as employees in comparable positions for employees who were an employee covered by such section, including eligibility conditions, allowance rates, and all other terms and conditions of law or regulation.

(d) PLAN FOR EXECUTION OF AUTHORITY.—Not later than 120 days after the date of enactment of this section, the Secretary shall submit to the appropriate committees of Congress with a plan for the use of the authorities provided under this section.

(e) COLLECTIVE BARGAINING AGREEMENTS.—Nothing in subsection (a) may be construed to impair the continued effectiveness of a collective bargaining agreement with the Department, a component of the Department, or equivalent of the Department that is a successor to an office, component, subcomponent, or equivalent of the Department covered by the agreement before the succession.

(f) REQUIRED REGULATIONS.—The Secretary, in coordination with the Director of the Office of Personnel Management, shall prescribe regulations for the administration of this section.

(g) ANNUAL REPORT.—(1) Not later than one year after the date of the enactment of this section and not less frequently than once each year thereafter, the Secretary shall submit to the appropriate committees of Congress a detailed report on the administration of this section during the most recent one-year period.

(2) Each report submitted under paragraph (1) shall include, for the period covered by the report, the following:

(A) A discussion of the process used in accepting applications, assessing candidates, ensuring adherence to veterans’ preference, and selecting applicants for vacancies to be filled by an individual for a qualified position.

(B) A description of the following:

(i) How the Secretary plans to fulfill the critical need of the Department to recruit and retain employees in qualified positions.

(ii) The measures that will be used to measure progress.

(iii) Any actions taken during the reporting period to fulfill such critical need.

(C) A discussion of how the planning and actions taken under subparagraph (B) are integrated into the strategic workforce planning of the Department.

(D) The metrics on actions occurring during the reporting period, including the following:

(i) The number of employees in qualified positions hired, disaggregated by occupation, grade, and level or pay band.

(ii) The placement of employees in qualified positions, disaggregated by directorate and office within the Department.

(iii) The total number of veterans hired.

(iv) The number of separations of employees in qualified positions, disaggregated by occupation and grade and level or pay band.

(v) The number of retirements of employees in qualified positions, disaggregated by occupation, grade, and level or pay band.

(vi) The number and amounts of recruitment, relocation, and retention incentives paid to employees in qualified positions, disaggregated by occupation, grade, and level or pay band.

(E) A description of the training provided to supervisors of employees in qualified positions at the Department on the use of the new authorities.

(h) THREE-YEAR PHRAGRATORY PERIOD.—The probationary period for all employees hired under the authority established in this section shall be three years.

(i) IMPLEMENTATION OF EXISTING COMPETITIVE SERVICES POSITIONS.—(1) The Secretary shall submit to the appropriate committees of Congress a recommendation, in the form of a report, that the department select and transform one or more existing competitive service positions to a qualified position under this section.

(2) The department shall consider the following:

(A) The term ‘appropriate committees of Congress’ means—

(A) the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services and the Committee on Appropriations of the House of Representatives.

(2) The term ‘collective bargaining agreement’ has the meaning given that term in section 7106(a)(8) of title 5.

(3) The term ‘excepted service’ has the meaning given that term in section 2103 of title 5.

(4) The term ‘preference eligible’ has the meaning given that term in section 2108 of title 5.

(5) The term ‘qualified position’ means a position, designated by the Secretary for the purpose of this section, in which the incumbent performs, manages, or supervises functions that execute the responsibilities of the United States Cyber Command relating to cyber operations.

(6) The term ‘Senior Executive Service’ has the meaning given that term in section 2101a of title 5.”

(b) CONFORMING AMENDMENT.—Section 312(a)(2) of title 5, United States Code, is amended in the matter following subparagraph (E)—

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

(2) in clause (ii), by inserting ‘or’ after the semicolon; and

(3) by inserting after clause (iii) the following new clause:

(4) any position established as a qualified position authorized by the Secretary of Defense under section 1599e of title 10;”.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 81 of title 19, United States Code, is amended by inserting after the item relating to section 1599d the following new item:

“1599e. United States Cyber Command recruitment and retention.”

SEC. 1105. ONE-YEAR EXTENSION OF AUTHORITY TO HIRE NATIONAL SECURITY PERSONNEL.

Sec. 1707(g)(2) of title 10, United States Code, is amended by striking “‘through 2015’” and inserting “‘through 2016’”.

SEC. 1106. FIVE-YEAR EXTENSION OF EXPEDITED HIRING AUTHORITY FOR DESIGNATED DEFENSE ACQUISITION WORKFORCE POSITIONS.

Section 1706(g)(2) of title 10, United States Code, is amended by striking “‘September 30, 2014’” and inserting “‘September 30, 2019’”.

SEC. 1107. ONE-YEAR EXTENSION OF DISCRETIONARY AUTHORITY TO GRANT ALLOWANCES, BENEFITS, AND GRATUITIES TO CIVILIANS ON OFFICIAL DUTY IN A COMBAT ZONE.

Paragraph (2) of section 1603(a) of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and for HDs (Public Law 110–28); 120 Stat. 431; as added by section 1102 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4616), as most recently amended by section 1101 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291), as added by inserting after the item relating to section 1599d the following new item:

“1599e. United States Cyber Command recruitment and retention.”
SEC. 1109. EXPANSION OF TEMPORARY AUTHORITY TO MAKE DIRECT APPOINTMENTS. -

(a) EXPANSION. —Section 1107(c)(1) of the National Defense Authorization Act for Fiscal Year 2014 (10 U.S.C. 2388 note) is amended by striking “3 percent” and inserting “5 percent.”

(b) EFFECTIVE DATE. —The amendment made by subsection (a) shall take effect on January 1, 2016, and shall apply with respect to appointments of candidates under section 1107(a)(1) of the National Defense Authorization Act for Fiscal Year 2014 on or after that date.

SEC. 1110. EXTENSION OF AUTHORITY FOR THE CIVILIAN ACQUISITION WORKFORCE PERSONNEL DEMONSTRATION PROJECT.

(a) Extension. —Section 1762(g) of title 10, United States Code, is amended by striking “September 30, 2017” and inserting “December 31, 2020”.

(b) TECHNICAL AMENDMENT. —Such section is further amended by striking “demonstration program” and inserting “demonstration project”.

SEC. 1111. PILOT PROGRAM ON DYNAMIC SHAPING OF THE WORKFORCE TO IMPROVE THE TECHNICAL SKILLS AND EXPERIENCE AT CERTAIN DEPARTMENT OF DEFENSE LABORATORIES.

(a) PILOT PROGRAM REQUIRED. —The Secretary of Defense shall carry out a pilot program to assess the feasibility and advisability of the use of the authorities specified in subsection (b) at the Department of Defense laboratories specified in subsection (c) to permit the laboratory to dynamically shape the mix of technical skills and expertise in the workforces of such laboratories in order to achieve one or more of the following:

(1) To meet organizational and Department-designated missions in the most cost-effective and efficient manner.

(2) To upgrade and enhance the scientific quality of the workforces of such laboratories.

(3) To shape such workforces to better respond to new demands.

(4) To reduce the average unit cost of such workforces.

(b) WORKFORCE SHAPING AUTHORITIES. —The authorities to be used by the Secretary of a Department of Defense laboratory under the pilot program are the following:

(1) FLEXIBLE LENGTH AND RENEWABLE TERM APPOINTMENTS. —In general, the authority otherwise available to the director of a laboratory to appoint qualified scientific and technical personnel who are not currently Department of Defense civilian employees into any scientific or technical position in the laboratory for a period of more than one year but not more than six years.

(B) BENEFITS. —Personnel appointed under this paragraph shall be provided with benefits comparable to those provided to similar employees at the laboratory concerned, including professional development opportunities, eligibility for all laboratory awards programs, and designation as “status applicants” for the purposes of eligibility for positions in the Federal Government.

(C) EXTENSION OF APPOINTMENTS. —The appointment of any individual under this paragraph may be extended at any time during any term of appointment under this paragraph for an additional period of up to six years under similar conditions as the director concerned shall establish for purposes of this paragraph.

(D) CONSTRUCTION WITH CERTAIN LIMITATION. —For purposes of determining the amount of the annuity otherwise payable to such an individual reemployed of an amount up to the average length of tenure of a career employee at the laboratory, as calculated at the end of any period before the date of the most recent appointment or extension of the individual under this paragraph.

(ii) the average length of tenure of a career employee at the laboratory, as calculated at the end of any period before the date of the most recent appointment or extension of the individual under this paragraph.

(b) TECHNICAL AMENDMENT. —Such section is further amended by striking “demonstration program” and inserting “demonstration project”.

SEC. 1112. PILOT PROGRAM TO ASSESS THE FEASIBILITY AND ADVISABILITY OF TEMPORARY ASSIGNMENT OF COVERED EMPLOYEES TO NONTRADITIONAL DEFENSE CONTRACTORS.

(A) IN GENERAL. —The Secretary of Defense shall carry out a pilot program to assess the feasibility and advisability of the temporary assignment of covered employees of the Department of Defense to nontraditional defense contractors and of covered employees of such contractors to the Department.

(B) COVERED EMPLOYEES; NONTRADITIONAL DEFENSE CONTRACTORS. —An employee of the Department of Defense or a nontraditional defense contractor is a covered employee for purposes of this section if the employee—

(A) works in the field of financial management or in the acquisition field;

(B) is considered by the Secretary of Defense to be an exceptional employee; and

(C) is compensated at not less than the GS-11 level (or the equivalent).

(2) NONTRADITIONAL DEFENSE CONTRACTORS. —For purposes of this subsection, the term “nontraditional defense contractor” has the meaning given in section 2902 of title 10, United States Code.

(c) AGREEMENTS. —

(1) IN GENERAL. —The Secretary of Defense shall provide for a written agreement among the Department of Defense, the nontraditional defense contractor concerned, and the employee concerned regarding the terms and conditions of the employee’s assignment under this section.

(2) ELEMENTS. —An agreement under this subsection—

(A) shall require, in the case of an employee of the Department of Defense who is assigned to a nontraditional defense contractor under this section, that upon completion of the assignment, the employee will serve in the civil service for a period at least equal to three times the length of the assignment, unless the employee is sooner involuntarily separated from the service of the employee’s agency; and

(B) shall provide that if the employee of the Department or of the contractor (as the case may be) fails to carry out the agreement, or if the employee is voluntarily separated from the service of the employee’s agency and the employee is described in paragraph (1) of the agreement, the employee shall be liable to the United States for payment of all expenses of the assignment unless that failure or voluntary separation was for such a sufficient reason, as determined by the Secretary.

(3) DEBT TO THE UNITED STATES. —An amount for which an employee is liable under paragraph (2)(B) shall be treated as a debt due the United States. The Secretary may waive, in whole or in part, collection of such a debt based on a determination that the collection would be against equity and good conscience and in the best interests of the United States.

(d) TERMINATION. —An assignment under this section may, at any time and for any reason, be terminated by the Department of Defense or the nontraditional defense contractor concerned.

(1)paque. —The Secretary of Defense may terminate an assignment under this section—

(A) at the discretion of the Secretary of Defense, for any reason related to the collection of the debt described in paragraph (3); or

(B) if the employee concerned fails to meet the requirements of the agreement.

(c) STATUS OF FEDERAL EMPLOYEES ASSIGNED TO CONTRACTORS. —An employee of the Department of Defense who is assigned to a nontraditional defense contractor under this section shall be considered, during the period of assignment, to be on detail to a regular work assignment in the Department of Defense for purposes of the written agreement established under subsection (a) and shall be treated as a fractional employee of the Department of Defense.
S3528

CONGRESSIONAL RECORD — SENATE

June 2, 2015

the employee’s continued status as a Federal employee.

(g) Terms and Conditions for Private Sector Employees.—An employee of a non-
traditional defense contractor who is as-
signed to a Department of Defense organization
under this section—

(1) shall continue to receive pay and bene-
fits from the contractor from which such em-
ployee is assigned; and

(2) shall be deemed to be an employee of the Department of Defense for the purposes of—

(A) chapter 73 of title 5, United States Code;

(B) sections 201, 203, 205, 207, 208, 209, 603, 606, 607, 613, 614, and 1913 of title 18, United States Code, and any other conflict of interest statute;

(C) sections 1343, 1344, and 1349(b) of title 31, United States Code;

(D) the Federal Tort Claims Act and any other Federal tort liability statute;

(E) the Ethics in Government Act of 1978;

(F) section 1043 of the Internal Revenue Code of 1986;

(g) chapter 21 of title 41, United States Code;

(h) subchapter I of chapter 81 of title 5, United States Code, relating to compen-
sation for work-related injuries; and

(i) the Servicemembers Civil Identity Act of 2008, as amended, applicable to the contractor from which such employee is assigned.

(h) Prohibition Against Charging Certain Costs to Federal Government.—A non-
traditional defense contractor may not charge the Department of Defense or any other agency of the Federal Government, as direct or indirect costs under a Federal con-
tract, costs of pay or benefits paid by the con-
tractor to an employee assigned to a De-
partment organization under this section for the period of the assignment.

(1) Consideration.—In providing for as-
signments of employees under this section, the Secretary of Defense shall take into con-
sideration the question of how assignments might best be used to help meet the needs of the Department of Defense with respect to the training of employees in financial man-
agement or in acquisition.

(1) Nontraditional defense contractors.—

(1) DEPARTMENT EMPLOYEES.—The number of employees of the Department of Defense who may be assigned to nontraditional defense contractors under this section at any given time may not exceed the following:

(A) Five employees in the field of financial management.

(B) Five employees in the acquisition field.

(2) NONTRADITIONAL DEFENSE CONTRACTOR EMPLOYERS.—The total number of nontradi-
tional defense contractor employees who may be assigned to the Department under this section at any given time may not exceed 10 such employees.

(k) Pay Authority for Assign-
ments.—No assignment of an employee may commence under this section after Sep-
tember 30, 2019.

SEC. 1113. PILOT PROGRAM ON ENHANCED PAY AUTHORITY FOR CERTAIN ACQUISITION AND TECHNOLOGY POSITIONS OF THE DEPARTMENT OF DEFENSE.

(a) Pilot Program Authorized.—The Sec-
retary of Defense may carry out a pilot pro-
gram to assess the feasibility and advisabil-
ity of giving the Director of U.S. Space Com-
mand the authority specified in subsection (d) to fix the rate of basic pay for positions described in subsection (c) in order to assist the Office of the Secretary of Defense in managing the workforce of technology experts involved in developing and retaining high quality acquisi-
tion and technology experts in positions re-
sponsible for managing and developing com-
plex, high cost, technological acquisition ef-
forts of the Department of Defense.

(b) Approval Required.—The pilot pro-
gram may be carried out only with approval as follows:

(1) Approval of the Under Secretary of De-
fense for Acquisition, Technology, and Logis-
tics, in the case of positions in the Office of
the Secretary of Defense.

(2) Approval of the Service Acquisition Ex-
ecutive of the military department con-
cerned, in the case of positions in a military
department.

(c) Positions.—The positions described in this subsection include—

(1) require expertise of an extremely high level in a scientific, technical, professional, or acquisition management field; and

(2) are critical to the successful accom-
plishment of an important acquisition or technology development mission.

(d) Rate of Basic Pay.—The pay authority specified in this subsection is authority as follows:

(1) Authority to fix the rate of basic pay for a position at a rate not to exceed 150 per-
cent of the rate of basic pay payable for level I of the Executive Schedule, upon the ap-
proval of the Under Secretary of Defense for Acquisition, Technology, and Logistics or the Service Acquisition Executive con-
cerned, as applicable.

(2) Authority to fix the rate of basic pay for a position at a rate in excess of 150 per-
cent of the rate of basic pay payable for level I of the Executive Schedule, upon the ap-
proval of the Secretary of Defense.

(e) Limitations.—

(1) In general.—The authority in sub-
section (a) may be used only to the extent necessary to competitively recruit or retain individuals exceptionally well qualified for positions described in subsection (b).

(2) Number of Positions.—The authority in subsection (a) may not be used with respect to more than five positions in the Office of the Secretary of Defense and more than five positions in each military department at any one time.

(f) Term of Positions.—The authority in subsection (a) may be used only for positions having terms less than five years.

(g) Termination.—

(1) In general.—The authority to fix rates of basic pay for a position under this section shall terminate on October 1, 2020.

(2) Continuation of Pay.—Nothing in para-
graph (1) shall prohibit the continuation of pay after October 1, 2020, of basic pay at rates fixed under this section before that date for positions whose terms continue after that date.

SEC. 1114. PILOT PROGRAM ON DIRECT HIRE AUTHORITY FOR VETERAN TECHNICAL EXPERTS INTO THE DEFENSE ACQUISITION WORKFORCE.

(a) Pilot Program.—The Secretary of De-
fense shall carry out a pilot program to as-
sess the feasibility and advisability of ap-
pointing or qualifying candidates to pos-
tions described in subsection (b) in the de-
fense acquisition workforce of the military departments and to the provi-
sions of subchapter I of chapter 33 of title 5, United States Code. The Secretary shall carry out the pilot program in each military department through the Service Acquisition Executive of such military department.

(b) Positions.—The positions described in this subsection are scientific, technical, en-
gineering, and mathematics positions, in-
cluding technicians, within the defense ac-
quisation workforce.

(c) Limitation.—Authority under sub-
section (a) may not be used with respect to any military depart-
ment, with respect to a number of candidates greater than the number equal to 1 percent of the total number positions the acquisition workforce of that military department that are filled as of the close of the fiscal year last ending before the start of such calendar year.

(d) Definitions.—In this section:

(1) The term “employee” has the meaning given to the term in section 2128 of title 5, United States Code.

(2) The term “veteran” has the meaning given in title 38, United States Code.

(e) Termination.—

(1) In general.—The authority to appoint candidates to positions under the pilot pro-
gram shall expire on the date that is five years after the date of the enactment of this Act.

(f) Effect on Existing Appointments.—

(1) Authority to make appointment under this Act before the termination date specified in para-
graph (1) in accordance with the terms of such appointment.

SEC. 1115. DIRECT HIRE AUTHORITY FOR TECH-
NICAL EXPERTS INTO THE DEFENSE ACQUISITION WORKFORCE.

(a) Authority.—Each head of a mil-
tary department may appoint qualified can-
didates possessing a scientific or engineering degree to positions described in subsection (b) in military departments without regard to the provisions of subchapter I of chapter 33 of title 5, United States Code.

(b) Applicability.—Positions described in this subsection are scientific and engineer-
ing positions within the defense acquisition workforce.

(c) Limitation.—Authority under this sec-
tion may not, in any calendar year and with respect to any military department, be exer-
cised with respect to a number of candidates greater than the number equal to 5 percent of the total number of scientific and engineer-
ing positions of that military department that are filled as of the close of the fiscal year last ending before the start of such calendar year.

(d) Nature of Appointment.—Any ap-
pointment under this section shall be treated as an appointment on a full-time equivalent basis unless such appointment is made on a term or temporary basis.

(e) Employee Defined.—In this section, the term “employee” has the meaning given in section 2128 of title 5, United States Code.

(f) Termination.—The authority to make appointments under this section shall not be available after December 31, 2020.

TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

Subtitle A—Training and Assistance

SEC. 1201. ONE-YEAR EXTENSION OF FUNDING LIMITATIONS FOR AUTHORITY TO BUILD THE CAPACITY OF FOREIGN SECURITY FORCES.

Section 1203(d) of the Carl Levin and How-
ard P. “Buck” McKeon National Defense Au-
thorization Act for Fiscal Year 2015 (Public
Law 113-291) is amended—

(1) by striking “for fiscal year 2015” and all that follows through “section 4301” and inserting “for fiscal year 2015 or 2016 for the Department of Defense for operation and maintenance” and “section 4301” and inserting “for fiscal year 2015 or 2016 for the Department of Defense for operation and maintenance”;

(2) by striking “;” in such fiscal year” be-
fore the period; and

(3) by inserting “, in such fiscal year” be-
fore the period; and
SEC. 1202. EXTENSION AND EXPANSION OF AUTHORITY FOR REIMBURSEMENT TO THE GOVERNMENT OF JORDAN FOR SECURITY OPERATIONS.

(a) Expansion to Government of Lebanon.—Section (a) of section 1207 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 897; 10 U.S.C. 401 note) is amended to read as follows:

(1) in paragraph (1), by striking “and the Government of Jordan” each place it appears and inserting “armed forces of the country concerned”;

(b) Scope of Authority.—Section (a) of such section is further amended—

(1) in paragraph (1)—

(A) by striking “maintaining” and inserting “enhance”;

(B) by striking “security and maintain increased security along the border between Jordan and Syria” and inserting “security along the border of Lebanon with Syria and Iraq and increase or sustain security along the border of Lebanon with Syria, as applicable”;

(2) in paragraph (3)—

(A) by striking “maintain” and inserting “enhance”;

(B) by striking “increase security and sustain increased security along the border between Jordan and Syria” and inserting “sustain security along the border of Lebanon with Syria and Iraq or increase or sustain security along the border of Lebanon with Syria, as applicable”;

(c) Funds.—Section (b) of such section is amended to read as follows:

“Sec. 1203. Extension of Authority to Con- 

Provide Assistance Provided to the Government of Lebanon and Jordan.”

SEC. 1203. EXTENSION OF AUTHORITY TO CON- 

DUCT ACTIVITIES TO ENHANCE THE CAPABILITY OF FOREIGN COUN- 

TRIES AND THE GOVERNMENT OF LEBANON FOR BORDER SECUR- 

ITY OPERATIONS.


SEC. 1204. REDESIGNATION, MODIFICATION, AND EXTENSION OF NATIONAL GUARD STATE PARTNERSHIP PROGRAM.

(a) Redesignation.—The heading of section 1205 of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 114–32; 127 Stat. 897; 32 U.S.C. 107 note) is amended to read as follows:

“SEC. 1205. DEPARTMENT OF DEFENSE STATE PARTNERSHIP PROGRAM.”

(b) Scope of Authority.—Subsection (a) of such section is amended—

(1) in paragraph (1), by striking “a program of activities described in paragraph (2)” and inserting “a program of activities described in paragraph (2) between members of the National Guard of a State or territory and any of the following:

(A) The military forces of a foreign country.

(B) The security forces of a foreign country.

(C) Governmental organizations of a foreign country whose primary functions include disaster response or emergency response.

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

“(2) State Partnership.—Each program established under this subsection shall be known as a ‘State Partnership’.

(c) Limitations.—Subsection (b) of such section is amended—

(1) in paragraph (1), by striking “activity under a program” and inserting “activity under a program and all that follows through ‘State or territory,’”;

(2) in paragraph (2), by striking “a program” and inserting “‘State Partnership Program’”;

(d) State Partnership Program Fund.—Not later than 180 days after the date of enactment of this Act, the Under Secretary of Defense for Policy and the Under Secretary of Defense for Comptroller shall jointly submit to the congressional defense committees a report setting forth a joint assessment of the feasibility and advisability of establishing a central fund to manage funds for programs and activities under the Department of Defense State Partnership Program under section 1205 of the National Defense Authorization Act for Fiscal Year 2014, as amended by this section.

(e) Conforming Amendments.—

(1) in subsection (e)(2)(B) of such section, by striking “(2) by striking paragraph (2) and inserting the following new paragraph (2):”;

(2) in subsection (f) of such section, by striking “December 31, 2015” and inserting “December 31, 2020”;

(f) Conforming Amendment.—The heading of such section is amended to read as follows:

“SEC. 1207. ASSISTANCE TO THE GOVERNMENT OF JORDAN AND THE GOVERNMENT OF LEBANON FOR BORDER SECUR- 

ITY OPERATIONS.”

SEC. 1208. AUTHORITY OF SECRETARY TO CON- 

DUCT ACTIVITIES TO ENHANCE THE CAPABILITY OF FOREIGN COUN- 

TRIES AND THE GOVERNMENT OF LEBANON FOR INCIDENTS INVOLVING WEAPONS OF MASS DE- 

STRUCTION.


SEC. 1209. ADDITIONAL AUTHORIZATION FOR MILITARY INTEL-

LIGENCE FORCES.

(a) In General.—The Secretary of Defense, with the concurrence of the Director of National Intelligence for the Office of the Secretary of State, is authorized to conduct or support a program or programs to train the military intelligence forces of a foreign country in order that country to—

(1) improve interoperability with United States and allied forces;

(2) enhance the capacity of such forces to recognize and act upon time-sensitive intelligence;

(3) increase the capacity and capability of such forces to fuse and analyze intelligence; and

(4) ensure the ability of such forces to support the military forces of that country in conducting lawful military operations in which intelligence plays a critical role.

(b) Types of Support.—

(1) Authorized Elements.—A program under this section may include the provision of training, and associated supplies and support.

(2) Required Elements.—A program under subsection (a) shall include elements that promote the following:

(A) Observance of and respect for human rights and fundamental freedoms.

(B) Respect for civilian control of the military.
(1) ANNUAL FUNDING LIMITATION.—Of the amount authorized to be appropriated for the Department of Defense for a fiscal year and available for the military intelligence program (MIP) by the Department of Defense, the amount made available to the Secretary of Defense may use up to $25,000,000 in such fiscal year to carry out programs authorized by subsection (a).

(2) ASSISTANCE OTHERWISE PROHIBITED BY LAW.—The Secretary of Defense may not use the authority in subsection (a) to provide any type of assistance described in subsection (b) to any foreign country that is otherwise prohibited from receiving such assistance under any other provision of law.

(3) LIMITATION ON ELIGIBLE COUNTRIES.—The Secretary of Defense may not use the authority in subsection (a) to provide assistance described in subsection (b) to any foreign country that is otherwise prohibited from receiving such assistance under any other provision of law.

(d) CONGRESSIONAL NOTIFICATION.—Not less than 15 days before initiating activities under a program under subsection (a), the Secretary of Defense shall submit to the appropriate committees of Congress a notice on the following:

(1) The country whose capacity to engage in activities in subsection (a) will be built under the program.

(2) The budget, implementation timeline with the dates of the advisory department responsible for management and associated program executive office, and completion date for the program.

(3) A description of any, provided with respect to an enduring arrangement between the United States and the forces provided training pursuant to subsection (a).

(4) A description of the assessment framework to be used to develop capability and performance metrics associated with operational outcomes for the recipient forces.

(5) A description of the capacity of the recipient country to absorb assistance under the program.

(6) An assessment of the manner in which the program fits into the theater security cooperation strategy of the applicable geographic combatant command.

(e) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ‘‘appropriate committees of Congress’’ means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 1207. REPORT ON POTENTIAL SUPPORT FOR THE VETTED SYRIAN OPPOSITION.

(a) REPORT REQUIRED.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report setting forth a detailed description of the military and non-military support the Secretary considers it necessary to provide to recipients of assistance under section 1209 of the Carl Levin and Howard P. ‘‘Buck’’ McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3541) upon their return to Syria to make use of such assistance.

(b) COVERED POTENTIAL SUPPORT.—The Secretary may consider it necessary to provide for purposes of the report the following:

(1) Logistical support.

(2) Defensive supportive fire.

(3) Intelligence.

(4) Medical support.

(5) Any other support the Secretary considers appropriate for purposes of the report.

(c) ELEMENTS.—The report shall include the following:

(1) For each type of support the Secretary considers it necessary to provide as described in subsection (a), a description of the actions to be taken by the Secretary to ensure that such support would not benefit any of the following:

(A) The Islamic State of Iraq and Syria (ISIS), al-Nusra Front, al-Qaeda, the Khorasan Group, or any other extremist Islamic organization

(B) The Syrian Arab Army or any group or organization supporting President Bashar Assad.

(2) An estimate of the cost of providing such support.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to constitute an authorization for the use of force in Syria.

Subtitle B—Military and Security Forces in Afghanistan, Pakistan, and Iraq

SEC. 1221. DRAWDOWN OF UNITED STATES FORCES IN AFGHANISTAN.

(a) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the drawdown of United States forces in Afghanistan should be based on security conditions in Afghanistan and United States security interests in the region; and

(2) as the Afghan National Defense Security Forces develop security capabilities and capacity, an appropriate United States and international assistance is needed in Afghanistan against terrorist organizations that can threaten United States interests or the United States homeland.

(b) AUTHORITY FOR CERTAIN PAYMENTS TO REDUCE INJURY AND LOSS IN IRAQ.—

(1) IN GENERAL.—During fiscal year 2016, amounts available pursuant to section 1201 of the National Defense Authorization Act for Fiscal Year 2012, as amended by this section, shall also be available for ex gratia payments for damage, personal injury, or death that is incident to combat operations of United States Armed Forces in Iraq.

(2) AUTHORIZATION APPLICABLE TO PAYMENT.—Any payment made pursuant to this subsection shall be made in accordance with the authorities and limitations in section 8121 of the Department of Defense Appropriations Act, 2015 (division C of Public Law 113–235), other than subsection (b) of such section.

SEC. 1222. EXTENSION OF AUTHORITY TO TRANSFERS FOR DEFENSE ARTICLES AND PROVISION OF DEFENSE SERVICES TO THE MILITARY AND SECURITY FORCES OF AFGHANISTAN.

(a) EXTENSION.—Subsection (h) of section 1222 of the National Defense Authorization Act for Fiscal Year 2015 (division C of Public Law 113–235; 128 Stat. 1292), as amended by section 1231 of the Carl Levin and Howard P. ‘‘Buck’’ McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3546), is further amended by striking ‘‘fiscal year 2015’’ in subsections (a), (b), and (d) and inserting ‘‘fiscal year 2016’’.

(b) RESTRICTION ON AMOUNT OF PAYMENTS.—Subsection (e) of section 1221, as so amended, is further amended by striking ‘‘$2,000,000’’ and inserting ‘‘$500,000’’.

(c) SUBMITTAL OF REVISED GUIDANCE.—Not later than 15 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a copy of the guidance issued by the Secretary to the Armed Forces concerning the Commanders’ Emergency Response Program in Afghanistan as revised to take into account the amendments made by this section.

(d) AUTHORITY FOR CERTAIN PAYMENTS TO REDUCE INJURY AND LOSS IN IRAQ.

(1) IN GENERAL.—During fiscal year 2016, amounts available pursuant to section 1201 of the National Defense Authorization Act for Fiscal Year 2012, as amended by this section, shall also be available for ex gratia payments for damage, personal injury, or death that is incident to combat operations of United States Armed Forces in Iraq.

(2) AUTHORIZATION APPLICABLE TO PAYMENT.—Any payment made pursuant to this subsection shall be made in accordance with the authorities and limitations in section 8121 of the Department of Defense Appropriations Act, 2015 (division C of Public Law 113–235), other than subsection (b) of such section.

(3) CONSTRUCTION WITH RESTRICTION ON AMOUNT OF PAYMENTS.—For purposes of the application of subsection (e) of such section 1201, as so amended, to any payment under this subsection, such payment shall be deemed to be a project described by such subsection (e).
(c) Excess Defense Articles.—Subsection (1)(2) of such section, as so amended, is further amended by striking “. . . 2014, and 2015” each place it appears and inserting “through 2016”.

SEC. 1224. Extension and modification of authority for reimbursement of coalition nations for support provided to United States military operations.

(a) Extension.—Subsection (a) of section 1233 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–81; 122 Stat. 2520), as most recently amended by section 1233(d)(1) of the National Defense Authorization Act for Fiscal Year 2009 (Public Law 113–291), is further amended—

(1) by striking “fiscal year 2015” and inserting “fiscal year 2016”; and

(2) in paragraph (1), by striking “Operation Enduring Freedom” and inserting “Operation Freedom’s Sentinel”;

(b) Other Support.—Subsection (b) of such section 1233, as so amended, is further amended by striking “Operation Enduring Freedom” and inserting “Operation Freedom’s Sentinel”;

(c) Limitation on Amounts Available.—Subsection (c)(1) of section 1233, as so amended, is further amended—

(1) in the second sentence, by striking “during fiscal year 2015 may not exceed $1,200,000,000” and inserting “during fiscal year 2016 may not exceed $1,160,000,000”; and

(2) in the third sentence, by striking “during fiscal year 2015 may not exceed $1,200,000,000” and inserting “during fiscal year 2016 may not exceed $1,000,000,000”.

(d) Quarterly Reports.—Subsection (f) of such section 1233, as added by section 1223(e) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–81; 123 Stat. 2520), is amended by striking “or any” and all that follows and inserting “or any reimbursements made during such quarter under the authorities as follows:

“(1) Subsection (a).

(2) Subsection (b).

(3) Section 1224(b) of the National Defense Authorization Act for Fiscal Year 2016.”.


(f) Extension of Limitation on Reimbursement of Pakistan Funding Certification.—Section 1227(d)(1) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2001), as so amended, is further amended by striking “fiscal year 2015” and inserting “fiscal year 2016”.

(g) Additional Limitation on Reimbursement of Pakistan Funding Certification.—The total amount of reimbursements and support authorized for Pakistan during fiscal year 2016 pursuant to the third sentence of section 1223(d)(1) of the National Defense Authorization Act for Fiscal Year 2008 (as amended by subsection (c)(2)), $300,000,000 shall not be eligible for the waiver under section 1227(d)(2) of the National Defense Authorization Act for Fiscal Year 2013 (126 Stat. 2001) unless the Secretary of Defense certifies to the congressional defense committees that—

(1) no reimbursed or supported military operations in North Waziristan that have contributed to significantly disrupting the safe haven and freedom of movement of the Haqqani network in Pakistan;

(2) Pakistan has taken actions that have demonstrated a commitment to ensuring that no territory or force within its control does not permit safe havens for the Haqqani network; and

(3) the Government of Pakistan has taken actions to promote stability in Afghanistan, including encouraging the participation of the Taliban in reconciliation talks with the Government of Pakistan.

(b) Availability of Certain Funds for Stability Activities in FATA.—

(1) In general.—Of the total amount of reimbursements authorized for Pakistan during fiscal year 2016 pursuant to the third sentence of section 1223(d)(1) of the National Defense Authorization Act for Fiscal Year 2015 (as so amended), $300,000,000 may be available for stability activities undertaken by Pakistan in the Federally Administered Tribal Areas (FATA), including the provision of funds to the Pakistan military and the Pakistan Frontier Corps Khyber Pakhtunkhwa for activities undertaken in support of the following:

(A) Building and maintaining border outposts.

(B) Strengthening cooperative efforts between the United States and the Afghan National Defense Security Forces in activities that include—

(i) bilateral meetings to enhance border security cooperation;

(ii) sustaining critical infrastructure within the Federally Administered Tribal Areas, such as maintaining key ground lines of communication;

(iii) increasing training for the Pakistan Frontier Corps Khyber Pakhtunkhwa; and

(iv) training to improve interoperability between the Pakistan Frontier Corps Khyber Pakhtunkhwa.

(2) Report.—Not later than December 31, 2017, the Secretary of Defense shall submit to the appropriate congressional committees a report on the expenditure of funds available under paragraph (1), including a description of the following:

(A) The purpose for which such funds were expended.

(B) Each organization on whose behalf such funds were expended, including the amount expended on such organization and the number of members of such organization trained with such amount.

(C) Any limitation imposed on the expenditure of funds under that paragraph, including on any recipient of funds or any use of funds expended.

(D) Appropriate congressional committees defined.—In this subsection, the term “appropriate congressional committees” has the meaning given that term in section 1223(c) of the National Defense Authorization Act for Fiscal Year 2008.

SEC. 1225. Prohibition on Transfer to Violent Extremist Organizations of Equipment or Supplies Provided by the United States to Afghan Allies.

(a) Prohibition.—No assistance authorized by section 1226 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2009 (Public Law 113–291) may be provided to the Government of Iraq after the date that is 30 days after the date of the enactment of this Act unless the Secretary of Defense certifies to the Committee on Appropriations of each House of Congress after the date of the enactment of this Act, that appropriate steps have been taken by the Government of Iraq to safeguard against transferring or providing to any individual or entity such assistance to violent extremist organizations.

(b) Violent Extremist Organization.—For purposes of this section, a violent extremist organization is an organization that —

(1) is a terrorist group or is associated with a terrorist group; or

(2) is known to be under the command and control of, or is associated with, the Government of Iran.

(c) Reports on Transfers of Equipment or Supplies to Violent Extremist Organizations in Iraq.

(1) Reports Required.—Not later than 30 days after the Secretary of Defense makes any determination that equipment or supplies provided pursuant of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 have been transferred to a violent extremist organization, the Secretary shall submit to Congress a report on the determination and the transfer.

(2) Elements.—Each report under paragraph (1) shall include, for the transfer covered by such report, the following:

(A) An assessment of the type and quantity of equipment or supplies so transferred.

(B) A description of the criteria used to determine that the organization to which transferred was a violent extremist organization.

(C) A description, if known, of how such equipment or supplies were transferred or acquired by the violent extremist organization concerned.

(D) If such equipment or supplies are determined to remain under the current control of any violent extremist organization, a description of each such organization, including its relationship, if any, with the security forces of the Government of Iraq.

(E) A description of end use monitoring or other policies and procedures in place for the equipment or supplies so transferred in order prevent the transfer or acquisition of such equipment or supplies by violent extremist organizations.

(d) Submittal Time for Quarterly Progress Reports on Assistance to Coalition Nations.—Section 1227 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 is amended by striking “30 days thereafter” and inserting “90 days thereafter”.


(a) Report Required.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a report setting forth the following:

(1) An assessment of the lines of communication that enable the Islamic State of Iraq and the Levant (ISIL), Jabhat al-Nusra, and other foreign terrorist organizations by facilitating the delivery of foreign fighters, funding, equipment, or other assistance through countries bordering on Syria.

(2) An assessment of the impacts of the lines of communication described in paragraph (1) on the security of the United States homeland and the protection of personnel and installations of Defense and diplomatic facilities in Europe and the Middle East.

(b) Appropriate Committees of Congress Defined.—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the Senate.
amended by striking “year”— and inserting “year, or, if submitting a petition after September 30, 2015, for a period of not less than 2 years.”

(2) TECHNICAL AMENDMENTS.—
(A) SUCCESSOR NAME FOR INTERNATIONAL SECURITY ASSISTANCE FORCE.—Subclause (II) of section 602(b)(2)(A)(ii) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note) is amended—
(i) in the matter preceding item (aa), by striking “Force” and inserting “Force (or any successor name for such Force)”;
(ii) in item (aa), by striking “Force,” and inserting “Force (or any successor name for such Force)”;
(iii) in item (bb), by striking “Force;” and inserting “Force (or any successor name for such Force)”; and
(B) CHARTER TITLE.—Section 601 of the Afghan Allies Protection Act of 2009 is amended by striking “This Act” and inserting “This title.”

(C) EXECUTIVE AGENCY REFERENCE.—Section 602(c)(4) of the Afghan Allies Protection Act of 2009 is amended by striking “section 4 of the Office of Federal Procurement Policy Act (40 U.S.C. 501)” and inserting “section 131 of title 41, United States Code”.

(b) NUMERICAL LIMITATIONS.—Subparagraphs (b)(3)(B) and (b)(3)(C) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note) is amended—
(i) in the heading, by striking “2015 and 2016” and inserting “2015 and 2016, and”;
(ii) in the matter preceding clause (i)—
(A) by striking “and ending on September 30, 2016,” and inserting “until such time that available special immigrant visas under subparagraphs (D) and (E) of this subparagraph are exhausted,” and
(B) by striking “4,000,” and inserting “7,000,”
(iii) in clause (i), by striking “September 30, 2015,” and inserting “December 31, 2015;”
(iv) in clause (ii), by striking “December 31, 2015,” and inserting “December 31, 2016;” and
(v) in clause (iii), by striking “March 31, 2016,” and inserting “the date such visas are exhausted.”

(c) REPORTS AND SENSE OF CONGRESS.—Section 602(b) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note) is amended by adding at the end the following:

“(15) REPORTS INFORMING THE CONCLUSION OF THE AFGHAN SPECIAL IMMIGRANT VISAS PROGRAM.—Section 1236 of the Carl Levin and Howard P. ‘Buck’ McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291) authorizes the Secretary of Defense to provide assistance, including training, logistics support, supplies, and services, stipends, facility and infrastructure repair and renovation, and support, to military and other security forces of or associated with the Government of Iraq, including those forces provided pursuant to subparagraph (A) of this subsection, to elements of the security forces in Iraq that have requested assistance in support of United States military and civilian personnel during Operation Iraqi Freedom, and any other programs or activities described in paragraphs (2)(A), (2)(B), and (2)(C) of this subsection and any other excess defense articles and military assistance described in paragraphs (2)(B) and (2)(C) of this subsection.


SEC. 1225. EXTENSION OF AUTHORITY TO SUPPORT OPERATIONS AND ACTIVITIES OF THE OFFICE OF SECURITY COOPERATION IN IRAQ.

(a) EXTENSION OF AUTHORITY.—Subsection (f)(1) of section 1215 of the National Defense Authorization Act for Fiscal Year 2012 (10 U.S.C. 1101 note) is amended by striking “fiscal year 2015” and inserting “fiscal year 2016.”

(b) AMOUNT AVAILABLE.—Such section is further amended—

(1) in subsection (c), by striking “fiscal year 2015” and all that follows and inserting “fiscal year 2015 may not exceed $80,000,000.”;

(2) in subsection (d), by striking “fiscal year 2015 and inserting “fiscal year 2016.”

(c) SUSPENDING REPORT REQUIREMENTS.—Subsection (g) of such section is amended to read as follows:

“(g) REPORTS.—

“(1) IN GENERAL.—Not later than September 30, 2015, and every 180 days thereafter until the authority in this section expires, the Secretary, in consultation with the Secretary of State, submit to the appropriate committees of Congress a report on the activities of the Office of Security Cooperation in Iraq.

“(2) ELEMENTS.—Each report under this subsection shall include the following:

(A) A current description of capability gaps in the security forces of Iraq, including capability gaps relating to intelligence matters, protection of Iraq airspace, and logistics and maintenance, and a current description of the extent, if any, to which the Government of Iraq has requested assistance in addressing such capability gaps.

(B) A current description of the activities of the Office of Security Cooperation in Iraq and the extent, if any, to which the programs conducted by the Office in conjunction with other United States programs (such as the Foreign Military Financing program, the Foreign Military Sales program, and the assistance provided pursuant to section 1236 of the Carl Levin and Howard P. ‘Buck’ McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291)) will address the capability gaps described pursuant to subparagraph (A).

(C) A current description of how the activities of the Office of Security Cooperation in Iraq are integrated with, and complement and enhance, the assistance provided pursuant to section 1236 of the Carl Levin and Howard P. ‘Buck’ McKeon National Defense Authorization Act for Fiscal Year 2015.

(D) A current description of end use monitoring programs, and any other programs or procedures used to improve accountability for equipment provided to the Government of Iraq.

(E) A current description of the measures of effectiveness used to evaluate the activities of the Office of Security Cooperation in Iraq, and an analysis of any determinations to expand, alter, or terminate specific activities of the Office based on such evaluations.

(F) A current evaluation of the effectiveness of efforts described in subparagraph (f)(2) in promoting respect for human rights, military professionalism, and respect for legitimate civilian authority in Iraq.

(G) AIRPORT SECURITY AND CONSTRUCTION.

(1) AUTHORIZATION OF CONGRESS DEFINED.—In this subsection, the term ‘appropriate committees of Congress’ means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

SEC. 1226. SENSE OF SENATE ON SUPPORT FOR THE KURDISTAN REGIONAL GOVERNMENT.

(a) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the Islamic State of Iraq and the Levant (ISIL) poses a acute threat to the people and territorial integrity of Iraq, including the democratically elected government of Iraq in the Iraqi Kurdistan Region, and the security and stability of the Middle East and the world;

(2) the United States should, in coordination with coalition partners, provide, in an expeditious and responsive manner and without undue delay, the security forces of the Kurdistan Regional Government associated with the Government of Iraq with defense articles and assistance described in subsection (b), defense services, and related training to more effectively partner with the United States and other international coalition members to defeat the Islamic State of Iraq and the Levant;

(3) defeating the Islamic State of Iraq and the Levant is critical to maintaining a unified Iraq in which all faiths, sects, and ethnicities are afforded equal protection and full integration into the Government and society of Iraq;

(4) due to the threat to United States national security and a free and inclusive Iraq brought by the Islamic State of Iraq and the Levant as well as the Caliphate established by ISIL in Iraq and Syria, the United States and other international coalition partners should more effectively partner with the United States and the Iraqi government to defeat ISIL and the Caliphate and protect the safety and security of United States and allied personnel during Operation Iraqi Freedom and Operation New Dawn;

(5) leaders of the Islamic State of Iraq and the Levant have stated that they intend to conduct terrorist attacks internationally, including against the United States, its citizens, and its interests; and

(6) the Kurdistan Regional Government is the democratically elected government of the Iraqi Kurdistan Region, and the Islamic State of Iraq and the Levant has been a reliable and capable partner of the United States, particularly in support of United States military and civilian personnel during Operation Iraqi Freedom and Operation New Dawn.

(b) DEFENSE ARTICLES AND ASSISTANCE.—The defense articles and assistance described in this subsection include anti-tank and anti-armor weapons, armored vehicles, long-range artillery, crew-served weapons and ammunition, secure command and communications equipment, body armor, helmets, logistics equipment, night vision devices, and other excess defense articles and military assistance considered appropriate by the President.

Subtitle C—Matters Relating to Iran

SEC. 1241. MODIFICATION AND EXTENSION OF ANNUAL REPORT ON THE MILITARY POWER OF IRAN.

(a) ELEMENT ON CYBER CAPABILITIES IN DEPARTMENT OF DEFENSE.—Section 1265 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2542) is amended—

(1) in subparagraph (B), by striking “and” at the end;

(2) in subparagraph (C), by striking the period at the end and inserting “;”;

(3) by adding at the end the following new subparagraph:
(D) Iranian strategy regarding offensive cyber capabilities and defensive cyber capabilities.

(b) Elements on Cyber Capabilities in Assessments of Unconventional Forcible Action.

Paragraph (3) of such subsection, as amended by section 1232(a) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 929), is further amended—

(1) in subparagraph (D), by striking “and” at the end;

(2) in subparagraph (E), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following new subparagraph—

“(F) offensive cyber capabilities and defensive cyber capabilities; and

(G) Iranian ability to manipulate the information environment both domestically and against the interests of the United States and its allies.”


Subtitle D—Matters Relating to the Russian Federation

SEC. 1251. UKRAINE SECURITY ASSISTANCE INITIATIVE.

(a) Authority to Provide Assistance. —Of the amounts made available to be appropriated for fiscal year 2016 by title XV and available for overseas contingency operations as specified in the funding tables in division D, $300,000,000 may be available to the Secretary of Defense, in coordination with the Secretary of State, to provide appropriate security assistance and intelligence support, including military and other national-level security forces of the Government of Ukraine for the purposes as follows:

(1) to enhance the capabilities of the military and other security forces of the Government of Ukraine to defend against further aggression.

(2) to assist Ukraine in developing the combat capability to defend its sovereignty and territorial integrity.

(3) to support the Government of Ukraine in defending itself against actions by Russia and Russian-backed separatists that violate the cease-fire agreements of September 4, 2014, and February 11, 2015.

(b) Appropriations for Security Assistance and Intelligence Support. —For purposes of subsection (a), appropriate security assistance and intelligence support includes the following:

(1) Real time or near real time actionable intelligence.

(2) Lethal assistance such as anti-tank weapon systems, mortars, crew-served weapons and ammunition, grenade launchers and ammunition, and small arms and ammunition.

(3) Counter-artillery radars.

(4) Unmanned aerial tactical surveillance systems.

(5) Cyber capabilities.

(6) Other electronic warfare capabilities such as secure communications equipment and other electronic protection systems.

(7) Other electronic warfare capabilities.

(8) Training required to maintain and employ systems and capabilities described in paragraphs (1) through (7).

(9) Training for critical combat operations such as planning, command and control, small unit tactics, counter-artillery tactics, logistics, countering improvised explosive devices, battle-field first aid, and medical evacuation.

(c) Funding Availability and Limitation. —

(1) Training.—Up to 20 percent of the amount described in subsection (a) may be used to support training pursuant to section 1247 of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 2515 note), relating to the Global Security Contingency Fund.

(2) Limitation.—Not more than 50 percent of the amount described in subsection (a) may be obligated or expended until an amount equal to 20 percent of such amount has been obligated or expended for appropriate security assistance described in subparagraphs (2) and (3) of subsection (b) for the Government of Ukraine.

(3) Alternative of Funds.—In the event of funds otherwise available pursuant to subsection (a) are not used by reason of the limitation in paragraph (2), such funds may be used at the discretion of the Secretary, with concurrence of the Secretary of State, to provide security assistance and intelligence support, including training, equipment, and other services to military and other national-level security forces of Partnership for Peace nations other than Ukraine that the Secretary of Defense determines to be appropriate to assist such governments in preserving their sovereignty and territorial integrity against Russian aggression.

(d) United States Inventory and Other Sources. —

(1) In General.—In addition to any assistance provided pursuant to subsection (a), the Secretary of Defense is authorized, with the concurrence of the Secretary of State, to make available to the Government of Ukraine weapons and other defense articles, from the United States inventory and other sources, and defense services, in such quantities as the Secretary of Defense determines to be appropriate to achieve the purposes specified in subsection (a).

(2) Replacement.—Amounts for the replacement of any items provided to the Government of Ukraine pursuant to paragraph (1) shall be deemed authorized to be appropriated for the Department of Defense for overseas contingency operations for weapons procurement.

(e) Construction of Authorization. —

Nothing in this section shall be construed to constitute a specific statutory authorization for the introduction of United States Armed Forces into hostilities or into situations wherein hostilities are clearly indicated by the circumstances.

(f) Termination of Authority. —Assistance may not be provided under the authority in this section after December 31, 2017.

SEC. 1252. EASTERN EUROPEAN TRAINING INITIATIVE.

(a) Authority. —The Secretary of Defense may, with the concurrence of the Secretary of State, carry out such initiative as the “Eastern European Training Initiative’’ to provide training, and pay the incremental expenses incurred by a country as a direct result of that country’s participation in such training, for the national military forces of the following:

(1) A country that is a signatory to the Partnership for Peace and North Atlantic Treaty Organization (NATO).

(b) Sense of Congress. —It is the sense of Congress that—

(1) the increased presence of United States and allied ground forces in Eastern Europe since April 2014 has provided a level of reassurance to North Atlantic Treaty Organization (NATO) members in the region and that the United States should continue to provide the capability to respond to any potential Russian aggression against Organization members;
(2) at the North Atlantic Treaty Organization Wales summit in September 2014 member countries agreed on a Readiness Action Plan which is intended to improve the ability of NATO forces to respond quickly and effectively to security threats on the borders of the Organization, including in Eastern Europe, and the challenges posed by hybrid warfare.

(3) the capability of the North Atlantic Treaty Organization to respond to threats on the eastern border of the Organization would be enhanced by a more sustained presence on the ground of Organization forces on the territories of Organization members in Eastern Europe, and

(4) an increased presence of United States ground forces in Eastern Europe would be matched by an increased force presence of European allies.

(b) Report.—

(1) in general.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Secretary of State, submit to the congressional defense committees a report setting forth an assessment of options for expanding the presence of United States ground forces of the size of a Brigade Combat Team in Eastern Europe to respond, along with U.S. and allied partners, to security challenges posed by Russia and increase the combat capability of forces able to respond to unconventional or hybrid warfare threats such as those used by the Russian Federation in Crimea and Eastern Ukraine.

(2) elements.—The report under this subsection shall include the following:

(A) an evaluation of the optimal location or locations of the enhanced ground force presence described in paragraph (1) that considers

(i) proximity, suitability, and availability of maneuver and garrison training areas;

(ii) transportation capabilities;

(iii) availability of facilities, including for potential equipment storage and prepositioning;

(iv) ability to conduct multinational training and exercises;

(v) a site or sites for prepositioning of equipment, a rotational presence or permanent presence of troops, or a combination of options;

(vi) costs.

(B) a description of any initiatives by other members of the North Atlantic Treaty Organization to strengthen European and partner forces for enhancing force presence on a permanent or rotational basis in Eastern Europe to match or exceed the potential increased presence of United States ground forces in the region.

SEC. 1254. SENSE OF CONGRESS ON EUROPEAN DEFENSE AND NORTH ATLANTIC TREATY ORGANIZATION SPENDING.

(a) findings.—Congress makes the following findings:

(1) the North Atlantic Treaty Organization (NATO) countries, at the 2014 North Atlantic Treaty Organization Summit in Wales, pledged to “reverse the trend of declining defense budgets, to make the most effective use of our funds and to further a more balanced sharing of costs and responsibilities”.

(2) Former Secretary of Defense Chuck Hagel stated in an address at the United States Naval Academy on April 12, 2016, that “Organizations are stronger and the transatlantic alliance is on the rise.”

(b) sense of Congress.—It is the sense of Congress that

(1) it is in the national security and fiscal interests of the United States that prompt efforts should be undertaken by North Atlantic Treaty Organization allies to meet defense spending goals set out at the Wales Summit;

(2) the United States Government should continue efforts through the Department of Defense and other agencies to encourage North Atlantic Treaty Organization allies towards meeting the defense spending goals set out at the Wales Summit;

(3) some North Atlantic Treaty Organization allies have already taken positive steps to reverse declines in defense spending and should continue to be supported in those efforts;

(4) thoughtful and coordinated defense investments by European allies in military capabilities would contribute value to the posture of the North Atlantic Treaty Organization against Russian aggression and terrorist organizations and more appropriately balance the share of Atlantic defense spending.

SEC. 1255. ADDITIONAL MATTERS IN ANNUAL REPORTS ON MILITARY AND SECURITY DEVELOPMENTS INVOLVING THE RUSSIAN FEDERATION.

(a) additional matters.—subsection (b) of section 1258 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291) is amended—

(1) by redesignating paragraphs (4) through (15) as paragraphs (6) through (17), respectively;

(2) an assessment of the share of Atlantic defense spending by 20 percent. That is not sustainable, and allies have already taken positive steps to reverse declines in defense spending and should continue to be supported in those efforts;

(3) some North Atlantic Treaty Organization allies have already taken positive steps to reverse declines in defense spending and should continue to be supported in those efforts;

(4) thoughtfully and coordinated defense investments by European allies in military capabilities would contribute value to the posture of the North Atlantic Treaty Organization against Russian aggression and terrorist organizations and more appropriately balance the share of Atlantic defense spending.

(b) effective date.—the amendments made by subsection (a) shall take effect on the date of the enactment of this Act, and shall apply with respect to reports submitted under section 1255 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 after that date.

SEC. 1256. REPORT ON ALTERNATIVE CAPABILITIES TO PROCURE AND SUSTAIN NONSTANDARD ROTARY WING AIRCRAFT HISTORICALLY PROCURED THROUGH ROSOBORONEXPORT.

(a) report.—the assessment shall include the following:

(1) an assessment of the risks and benefits of utilizing nonstandard rotary wing aircraft historically acquired through Rosoboronexport or, if appropriate to the assessment.

(b) effective date.—the amendments made by subsection (a) shall take effect on the date of the enactment of this Act, and shall apply with respect to reports submitted under section 1255 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 after that date.
that promote the following:

1. International cooperation and respect for human rights and fundamental freedoms.

2. Respect for legitimate civilian authority within the country to which the assistance is provided.

3. Priorities for assistance and training.

4. In developing programs for assistance or training to be provided under subsection (a), the Secretary of Defense shall ensure that the recipient foreign country, or a regional organization of which the recipient country is a member, to respond to emerging threats to maritime security.

5. In determining expenses of personnel of certain other countries for training.

6. In determining the importance of the program to the United States Armed Forces.

7. In determining the assistance and training provided under subsection (a) shall include elements that promote the following:

A. Respect for international law and human rights.

B. Support for the provision of equipment, supplies, training, and small-scale military construction.

C. Types of assistance and training.

D. Authorized elements of assistance.

E. Assistance provided under subsection (a) shall include elements that promote the following:

1. The recipient foreign country.

2. The United States Pacific Command should be increased.

3. The United States rebalance, it is vital that the United States continue to shift forces to the Asia-Pacific region.

4. The United States rebalance, it is vital that the United States continue to shift forces to the Asia-Pacific region.

5. The United States rebalance, it is vital that the United States continue to shift forces to the Asia-Pacific region.

6. Such other matters as the Secretary considers appropriate.

7. It is the sense of the Senate that—

(a) the United States, in accordance with the Taiwan Relations Act (Public Law 96-8), should continue to ensure that Taiwan has the capability to defend itself.

(b) The United States should continue to support the efforts of Taiwan to integrate innovative and asymmetric measures to balance the growing military capabilities of the People's Republic of China, including fast-attack craft, coastal-defense cruise missiles, rapid-runway repair systems, offensive mines, and submarines optimized for defense of the Taiwan straits.

(c) The military forces of Taiwan should be permitted to participate in bilateral training activities that include realistic air-to-air combat training, including the exercises at Nelson Air Force Base, Alaska, and Nellis Air Force Base, Nevada, commonly referred to as "Red Flag".

(d) Taiwan should also be encouraged to participate in advanced bilateral training for its ground forces, Apache attack helicopters, and P-3C surveillance aircraft in island-defense scenarios.

Subtitle F—Reports and Related Matters

SEC. 1271. ITEM IN QUARTERLY REPORTS ON AS- SISTANCE TO COUNTER THE ISLAMIC STATE OF IRAQ AND THE LEVANT ON FORCES INELIGIBLE TO RECEIVE ASSISTANCE DUE TO A GROSS VIOLATION OF HUMAN RIGHTS.

(a) In reports.

Section 1256(d) of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291) is amended by adding at the end the following new paragraph:

1. A list of the forces or elements of forces restricted from receiving assistance under subsection (a), unless waived pursuant to subsection (j), as a result of being not permitted to receive assistance due to a gross violation of human rights;
“(B) the source of the information described in subparagraph (A), and an assessment of the veracity of the information; (C) the association of such force or element with any group associated with the Government of Iran; and (D) the amount and type of any assistance provided such force or element by the Government of Iran.”

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act, and shall apply with respect to reports submitted pursuant to section 1236(d) of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 after that date.

SEC. 1272. REPORT ON BILATERAL AGREEMENT WITH ISRAEL ON JOINT ACTIVITIES TO ESTABLISH AN ANTI-TUNNELING DEFENSE SYSTEM.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Secretary of State, submit to the appropriate committees of Congress a report on the feasibility and advisability of entering into a bilateral agreement with the Government of Israel into a bilateral agreement through which the governments of the two countries carry out research, development, and test activities on a joint basis to establish and operate a counter-tunneling defense system to detect, map, and neutralize underground tunnels into and directed at the territory of Israel.

(2) APPROPRIATE COMMITTEE OF CONGRESS DEFINED.—In this section, the term ‘appropriate committees of Congress’ means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

SEC. 1273. SENSE OF SENATE AND HOUSE OF REPRESENTATIVES RELATING TO NEUTRALIZATION OF UNDERGROUND TUNNELS INTO AND DIRECTED AT THE TERRITORY OF ISRAEL.

(1) PROCEDURES.—The Secretary shall, in consultation with the Secretary of State, submit a report to the appropriate committees of Congress on neutralization of underground tunnels into and directed at the territory of Israel.


(b) AVAILABILITY OF FUNDS.—Funds appropriated under subsection (a) are authorized to be transferred to the Department of Defense for use in connection with the construction, operation, maintenance, and defense of facilities and systems for the purposes of—

(1) the destruction of chemical and biological warfare agents;

(2) the destruction of chemical weapons;

(3) the destruction of chemical munitions;

(4) the destruction of chemical weapons destruction facilities;

(5) the destruction of chemical munitions destruction facilities;

(6) the destruction of chemical weapons destruction facilities; and

(7) for activities designated as Other Authorized.

TITLE XIII—COOPERATIVE THREAT REDUCTION

SEC. 1301. SPECIFICATION OF COOPERATIVE THREAT REDUCTION FUNDS.

(a) FISCAL YEAR 2016 COOPERATIVE THREAT REDUCTION FUNDS DEFINED.—As used in this title, the term ‘fiscal year 2016 Cooperative Threat Reduction funds’ means the funds appropriated pursuant to the authorization of appropriations in section 1516 and made available by the funding table in section 1521 for the Department of Defense Cooperative Threat Reduction Program established under section 1231 of the Department of Defense Cooperative Threat Reduction Act (50 U.S.C. 3711).

(b) AVAILABILITY OF FUNDS.—Funds appropriated pursuant to the authorization of appropriations in section 1516 and made available by the funding table in section 1521 for the Department of Defense Cooperative Threat Reduction Program shall be available for obligation for fiscal years 2016, 2017, and 2018.

SECTION 1302. FUNDING ALLOCATIONS.

Of the $358,496,000 authorized to be appropriated to the Department of Defense Cooperative Threat Reduction Act (50 U.S.C. 3711), the following amounts may be obligated for the purposes specified:

(1) for strategic offensive arms elimination, $1,289,000.

(2) for chemical weapons destruction, $942,000.

(3) for global nuclear security, $20,555,000.

(4) for cooperative biological engagement, $291,658,000.

(5) for proliferation prevention, $38,945,000.

(6) for threat reduction engagement, $2,827,000.

(7) for activities designated as Other Authorizations, $29,320,000.

TITLE XIV—OTHER AUTHORIZATIONS

Subtitle A—Military Health Care Programs

SEC. 1401. WORKING CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 2016 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for working capital and revolving funds, as specified in the funding table in section 1405.

SEC. 1402. NATIONAL DEFENSE SEALIFT FUND.

Funds are hereby authorized to be appropriated for fiscal year 2016 for the National Defense Sealift Fund, as specified in the funding table in section 1405.

SEC. 1403. CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE.

(a) AUTHORIZATION OF APPORTIONMENTS.—Funds are hereby authorized to be appropriated for fiscal year 2016 for Chemical Agents and Munitions Destruction, Defense, as specified in the funding table in section 1405.

(b) USE.—Funds authorized to be appropriated under subsection (a) are authorized to be used—

(1) the destruction of chemical agents and munitions in accordance with section 1412 of the Department of Defense Authorization Act, 1996 (50 U.S.C. 1252); and

(2) the destruction of chemical warfare materiel of the United States that is not covered by section 1412 of such Act.

SEC. 1404. DRUG INTERDICATION AND COUNTERDRUG ACTIVITIES, DEFENSE-WIDE.

Funds are hereby authorized to be appropriated for fiscal year 2016 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug Activities, Defense-wide, as specified in the funding table in section 1405.

SEC. 1405. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2016 for expenses, not otherwise provided for, for the Office of the Inspector General of the Department of Defense, as specified in the funding table in section 1405.

SEC. 1406. DEFENSE HEALTH PROGRAM.

Funds are hereby authorized to be appropriated for fiscal year 2016 for the Defense Health Program, as specified in the funding table in section 1405, for the Department of Defense Health Program for operation and maintenance, $120,400,000 may be transferred by the Department of Defense to the National Health Care Center, Illinois.

(a) AUTHORITY FOR TRANSFER OF FUNDS.—Of the funds authorized to be appropriated to the Department of Defense Health Program for operation and maintenance, $120,400,000 may be transferred by the Department of Defense Health Program to the National Health Care Center, Illinois.

There is hereby authorized to be appropriated for fiscal year 2016 from the Armed Forces Retirement Home Trust Fund the sum of $64,300,000 for the operation of the Armed Forces Retirement Home.

Sec. 1413. Inspections of the Armed Forces Retirement Home by the Inspector General of the Department of Defense.

(a) Inspections.—Subsection (b)(1) of section 1516 of the Armed Forces Retirement Home Act of 1961 (24 U.S.C. 418) is amended by striking “a comprehensive inspection of all aspects of each facility of the Retirement Home” and all that follows and inserting “an inspection of the Retirement Home. The Inspector General shall determine the scope of each such inspection using a risk-based analysis of the operations of the Retirement Home.”

(b) Reports.—Subsection (c)(1) of such section is amended in the second sentence by striking “Not later than 90 days after completing the inspection of the facility, the Inspector General” and inserting “The Inspector General”.

Title XV—Authorization of Additional Appropriations for Overseas Contingency Operations

Subtitle A—Authorization of Appropriations

Sec. 1501. Purpose.

The purpose of this subtitle is to authorize appropriations for the Department of Defense for fiscal year 2016 to provide additional funds for overseas contingency operations being carried out by the Armed Forces.

Sec. 1502. Overseas Contingency Operations.

Funds are hereby authorized to be appropriated for fiscal year 2016 for the Department of Defense for overseas contingency operations as may be designated as provided in section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Sec. 1503. Procurement.

Funds are hereby authorized to be appropriated for fiscal year 2016 for procurement accounts for the Army, the Navy and the Marine Corps, the Air Force, and Defense-wide activities as specified in the funding table in section 4102.

Sec. 1504. Research, Development, Test, and Evaluation.

Funds are hereby authorized to be appropriated for fiscal year 2016 for the use of the Department of Defense for research, development, test, and evaluation, as specified in the funding table in section 4202.

Sec. 1505. Operation and Maintenance.

Funds are hereby authorized to be appropriated for fiscal year 2016 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for operation and maintenance, as specified in the funding table in section 4502.

Sec. 1506. Military Personnel.

Funds are hereby authorized to be appropriated for fiscal year 2016 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for military personnel, as specified in the funding table in section 4502.

Sec. 1507. Working Capital Funds.

Funds are hereby authorized to be appropriated for fiscal year 2016 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for working capital and revolving funds, as specified in the funding table in section 4502.

Sec. 1508. Drug Interdiction and Counterdrug Activities, Defense-Wide.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2016 for expenses, not otherwise provided for, for Drug Interdiction and Counterdrug Activities, defense-wide, as specified in the funding table in section 4502.


Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2016 for expenses, not otherwise provided for, for the Defense Health Program, as specified in the funding table in section 4502.

Sec. 1510. Clandestine Drug Activities, Defense-wide.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2016 for expenses, not otherwise provided for, for Drug Interdiction and Counterdrug Activities, defense-wide, as specified in the funding table in section 4502.

Sec. 1511. Defense Health Program.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2016 for expenses, not otherwise provided for, for the Defense Health Program, as specified in the funding table in section 4502.

Sec. 1515. Afghanistan Security Forces.


(b) Extension of Authority to Accept Certain Equipment.—Section 1515(b)(1) of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291) is amended by striking "the Act" and inserting "the Act enacted before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016.

Sec. 1516. Joint Improvised Explosive Device Defeat Fund.

(a) Use and Transfer of Funds.—Subsections (b) and (c) of section 1516 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2439), as in effect before the amendments made by section 1503 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–328; 128 Stat. 4694) is amended by inserting in paragraph (1), by inserting "and for fiscal year 2016", after "fiscal year 2015;".

(b) Duration of Availability.—Amounts appropriated pursuant to the authorization of appropriations in subsection (a) shall remain available for obligation through September 30, 2017.

Sec. 1521. Treatments as Additional Authorization.

The amounts authorized to be appropriated by this Act are in addition to amounts otherwise authorized to be appropriated by this Act.

Sec. 1522. Special Transfer Authority.

(a) Authority to Transfer Authorizations.—

(1) Authority.—Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this title for fiscal year 2016 between any such authorizations for that fiscal year or any subdivisions thereof. Amounts of authorizations so transferred shall be merged with and be available for the same purposes as the authorization to which transferred.

(2) Limitation.—The total amount of authorizations that the Secretary may transfer under the authority of this subsection may not exceed $1,000,000,000.

(b) Terms and Conditions.—Transfers under this section shall be subject to the terms and conditions as transfers under section 1001.

(c) Additional Authority.—The transfer authority provided by this section is in addition to the transfer authority provided under section 1001.

Subtitle C—Limitations, Reports, and Other Matters

Sec. 1531. Afghanistan Security Forces Limitation.

(a) Continuation of Prior Authorities and Notice and Reporting Requirements.—Funds available to the Department of Defense for the Afghan Security Forces Fund for fiscal year 2016 shall be subject to the conditions contained in subsections (b) through (g) of section 1515 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 426), as amended by section 1531(b)(1) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4241).


Sec. 1532. Joint Improvised Explosive Device Defeat Fund.


(b) Extension of Interdiction of Improvised Explosive Device Precursor Chemicals Authority.—Section 1532(b) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–259; 126 Stat. 2075) is amended by inserting in paragraph (1), by inserting "and for fiscal year 2016", after "fiscal year 2015;".

(c) Limitation on Use of Funds for Certain Assignments of Personnel.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the Joint Improvised Explosive Device Defeat Organization may be used for the purposes of the Joint Improvised Explosive Device Defeat Organization for a military department, national defense functions, or a joint activity, or for the employment of military personnel or contractors on a permanent or temporary basis, or as a detail, to the combatant commands or associated military departments.

(d) Authorization of Appropriations.—Funds authorized to be appropriated under this title shall be available, unless otherwise provided for, for operation and maintenance, as specified in the funding table in section 4502.

(e) Consolidated Appropriations Act, 2015.—The Armed Forces of the United States shall be authorized and directed to provide assistance to the Afghan National Security Forces and the Afghan National Police.

(f) Limitation on Use of Funds for Certain Assignments of Personnel.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the Joint Improvised Explosive Device Defeat Organization for a military department, national defense functions, or a joint activity, may be obligated for the purposes of the Joint Improvised Explosive Device Defeat Organization for a combatant command or associated military department unless such personnel or contractors are supporting—

(1) Operation Freedom’s Sentinel or any successor operation to that operation;

(2) Operation Inherent Resolve or any successor operation to that operation; or

(3) another operation that, as determined by the Secretary of the Army, the Secretary of the Air Force, or the Secretary of the Navy, is in support of the direct support of the Joint Improvised Explosive Device Defeat Organization.
(d) NOTICE TO CONGRESS.—If after the date of the enactment of this Act the Secretary of Defense makes a determination described in subsection (c)(3) that an operation requires the establishment of the Joint Improvised Explosive Device Defeat Organization, the Secretary shall submit to the congressional defense committees a notice of the determination and the reasons for the determination.

(e) LIMITATION ON IMPLEMENTATION OF JIEDDO AS COMBAT SUPPORT AGENCY.—Requiring the Secretary of Defense on March 11, 2015, to make the Joint Improvised Explosive Device Defeat Organization a combat support agency, the Secretary of Defense is prohibited from implementing such determination until 90 days after the date on which the Secretary submits to the congressional defense committees a report setting forth the following:

(1) A detailed plan for the disposition of the Organization as a combat support agency, including the enduring requirements and key functions or elements of the Organization, the chain of command for the Organization, and funding for the Organization as such an agency.

(2) A statement of potential alternative means to achieve the objective of eliminating the Organization as a combat support agency, including the assumption of one or more functions of the Organization by one or more other components or elements of the Department of Defense, and an assessment of the feasibility and advisability of each such alternative.

SEC. 1533. AVAILABILITY OF JOINT IMPROVISED EXPLOSIVE DEVICE DEFECT FUND FUNDS FOR TRAINING OF FOREIGN SECURITY FORCES TO DEFECT IMPROVED EXPLOSIVE DEVICES.

(a) AVAILABILITY OF FUNDS.—Of the amounts authorized to be appropriated for fiscal year 2016 for the Joint Improvised Explosive Device Defeat Fund, up to $30,000,000 may be available to provide training to foreign security forces in defeating improvised explosive devices under authority provided the Department of Defense under any other provision of law.

(b) CONSTRUCTION OF AVAILABILITY OF FUNDS.—The availability of funds under subsection (a) shall not be construed as authorizing in and of itself for the provision of training and assistance.

(c) GEOGRAPHIC LIMITATION.—Training may be provided using funds available under subsection (a) only—

(1) in locations in which the Department of Defense is conducting a named operation; or

(2) in geographic areas in which the Secretary of Defense has determined that a foreign security force is facing a significant threat from improvised explosive devices.

(d) COORDINATION WITH GEOGRAPHIC COMBATANT COMMANDS.—The Secretary shall, to the extent practicable, establish a process or the provision of training using funds available under subsection (a) with requests received from the commanders of the geographic combatant commands.

(e) EXPEDIATION.—The authority to use funds described in subsection (a) in accordance with this section shall expire on December 31, 2016.

TITLE XVI—STRATEGIC PROGRAMS, CYBER, AND INTELLIGENCE MATTERS

Subtitle A—Space Activities

SEC. 1601. INTEGRATED POLICY TO DETER ADVERSARIES IN SPACE.

(a) In General.—The President shall establish an interagency process to provide for the development of a policy to deter adversaries in space.

(b) Objectives of—

(1) reducing risks to the United States and allies of the United States in space; and

(2) protecting and preserving the rights, access, capabilities, use, and freedom of action of the United States in space and the right of the United States to respond to an attack in space. If necessary, deny adversaries the use of space capabilities hostile to the national interests of the United States; and

(3) that integrates the interests and responsibilities of the agencies participating in the process.

(b) Report Required.—

(1) In General.—Not later than 180 days after the date of the enactment of this Act, the President shall submit to the Committees on Armed Services of the Senate and the House of Representatives the report required by paragraph (a) when the policy was developed pursuant to subsection (a).

(2) FUNDING RESTRICTION.—If the President has not submitted the policy developed pursuant to subsection (a) and the answers to Enclosure 1, regarding offensive space control policy, of the classified annex to this Act, to the Committees on Armed Services of the Senate and the House of Representatives by the date required by paragraph (1), an amount equal to $10,000,000 of the amount authorized to be appropriated under subsection (a) and the answers to Enclosure 1, regarding offensive space control policy, of the classified annex to this Act, shall be withheld from obligation or expenditure until the policy and such answers are submitted to such Committees.

(c) Limitation on Implementation of Exception to the Policy Developed Pursuant to Section 1601.—The report required by paragraph (1) shall not be submitted in an unclassified annex, but may include a classified annex.

SEC. 1602. PRINCIPAL ADVISOR ON SPACE CONTROL.

(a) In General.—Chapter 135 of title 10, United States Code is amended by adding at the end thereof the following new section:

"§ 2279a. Principal Advisor on Space Control

(a) In General.—The Secretary of Defense shall designate an individual to serve as the Principal Space Control Advisor, who shall act as the principal advisor to the Secretary on space control activities.

(b) Responsibilities.—The Principal Space Control Advisor shall be responsible for the following:

(1) Supervision of space control activities related to the development, procurement, and employment of national strategy relating to space control capabilities.

(2) Oversight of policy, resources, personnel, and acquisition and technology relating to space control capabilities.

(c) Cross-Functional Team.—The Principal Space Control Advisor shall integrate the space control expertise and perspectives of appropriate organizational entities of the Office of the Secretary of Defense, the Joint Staff, the military departments, the Defense Agencies, and the combatant commands, by establishing and maintaining a full-time, cross-functional team of subject-matter experts from those entities.

(b) Cross-Functional Team.—The table of sections at the beginning of this chapter is amended by inserting after the item relating to section 2799 the following new item:

"2799a. Principal Space Control Advisor."

(c) EXCEPTION TO THE PROHIBITION ON CONTRACTING WITH RUSSIAN SUPPLIERS OF ROCKET ENGINES FOR THE EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM.


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

"(d) SPECIAL RULE FOR PHASE 1A COMPETITIVE OPPORTUNITIES.—

(1) In General.—For not more than 9 competitive opportunities described in paragraph (2), the Secretary of Defense may award a contract—

(A) requiring the use of a rocket engine designed or manufactured in the Russian Federation that is eligible for a waiver under section (b) or an exception under subsection (c); or

(B) if a rocket engine described in subparagraph (A) is not available, requiring the use of a rocket engine designed or manufactured in the Russian Federation that is eligible for a waiver under a section (b) or an exception under subsection (c).

(2) Special Rule for Phase 1A Competitive Opportunities.—A competitive opportunity described in this paragraph is—

(A) an opportunity to compete for a contract for the procurement of property or services for space launch activities under the evolved expendable launch vehicle program; and

(B) one of the 9 Phase 1A competitive opportunities for fiscal years 2015 through 2017.

(3) Limitation on Competitive Opportunities.—After the date of the enactment of this Act, the Secretary determined that a foreign country possesses nuclear weapons, the Secretary shall notify Congress of the sale, lease, loan, transfer, or transportation of a rocket engine to that foreign country.

(4) Waiver.—If the Secretary determines that a rocket engine purchased under a contract with a foreign country was necessary for the national security interests of the United States, the Secretary may waive any restriction under subsection (d).

SEC. 1604. ELIMINATION OF EXISTING LAUNCH CAPABILITIES CONTRACTS UNDER EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM.

(a) In General.—Except as provided by subsections (b) and (c), on and after the date of the enactment of this Act, the Secretary of Defense may not award or renew a contract or maintain a separate contract line item, for the procurement of property or services for space launch capabilities under the evolved expendable launch vehicle program.

(b) Waiver.—The Secretary of Defense may waive the prohibition under subsection (a) and award or renew a contract or maintain a separate contract line item for the procurement of property or services for space launch capabilities if the Secretary of Defense determines, and reports to the congressional defense committees not later than 30 days before the waiver takes effect, that—

(1) awarding or renewing such a contract or maintaining such a contract line item is necessary for the national security interests of the United States; or maintaining such a contract line item does not support space launch activities using rocket engines designed or manufactured in the Russian Federation; and

(2) failing to award or renew such a contract or maintain such a contract line item will have significant consequences to national security and will result in the significant loss of life or property or economic harm.

(c) Exception.—

(1) In General.—The prohibition under subsection (a) shall not apply to the placement of orders or the exercise of options under the contract numbered FA8811–13–C–0003 awarded on December 18, 2013.

(2) Termination.—The exception under paragraph (1) shall terminate on September 30, 2019.

(d) Space Launch Capabilities Defined.—In this section, the term ‘space launch capabilities’ includes all work associated with space launch infrastructure maintenance and sustainment, program management, systems engineering, launch operations, launch site depreciation, and maintenance commod-
SEC. 1605. ALLOCATION OF FUNDING FOR EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM.

(a) In GENERAL.—None of the amount requested in the budget of the President submitted to Congress under section 1108(a) of title 31, United States Code, for fiscal year 2017, 2018, or 2019 for the Air Force for the launch of Air Force satellites under the evolved expendable launch vehicle launch services program shall bear the same ratio to the total amount of such budget for that fiscal year for the launch of national security satellites under the evolved expendable launch vehicle capability program as the amount requested in that budget for that fiscal year for the procurement of cores for the Air Force for the launch of Air Force satellites under the evolved expendable launch vehicle launch services program bears to the total amount requested in that budget for that fiscal year for the procurement of cores for the Air Force for the launch of Air Force satellites under the evolved expendable launch vehicle capability program for the year.

(b) NATIONAL SECURITY SATELLITE DEFINED.—In this section, the term "national security satellite" is a satellite launched for national security purposes, including such a satellite launched by the Air Force, the Navy, the National Reconnaissance Office, or any other element of the Department of Defense.

SEC. 1606. INCLUSION OF PLAN FOR DEVELOPMENT AND FIELDING OF A FULL-UP ENGINE IN ROCKET PROPULSION SYSTEM DEVELOPMENT PROGRAM.


(1) in paragraph (2), by striking "; and" and inserting a semicolon;

(2) in paragraph (3), by striking the period at the end and inserting a semicolon;

and inserting a semicolon;

SEC. 1607. LIMITATIONS ON AVAILABILITY OF FUNDS FOR THE DEFENSE METEOROLOGICAL SATELLITE PROGRAM.

(a) In GENERAL.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2015 for the Defense Meteorological Satellite Program (15 U.S.C. 6301 et seq.) or for the launch of the Defense Meteorological Satellite Program satellite n20 in this section referred to as the "n20", and none of the funds authorized to be appropriated or otherwise made available for fiscal year 2015 for that program or the launch of DMSp20 that remain available for obligation as of the date of the enactment of this Act, may be obligated or expended until the Secretary of Defense and the Chairman of the Joint Chiefs of Staff jointly certify to the congressional defense committees that—

(1) relying on civil and international contributions; space-based environmental monitoring requirements is insufficient or is a risk to national security and launching DMSp20 will meet those requirements;

(2) launching DMSp20 is the most affordable solution to meeting requirements validated by the Joint Requirements Oversight Council; and

(3) nonmaterial solutions within the Department of Defense, the National Oceanic and Atmospheric Administration, and the National Aeronautics and Space Administration are incapable of meeting the cloud characterization and theater weather requirements validated by the Joint Requirements Oversight Council.

(b) COMPARATIVE COST AND CAPABILITY ASSESSMENT.—If the Secretary and the Chairperson determine that a material solution is required to meet the cloud characterization and theater weather requirements validated by the Joint Requirements Oversight Council, the Secretary and the Chairman shall jointly submit to the congressional defense committees a cost and capability assessment that compares the cost of meeting those requirements with an alternate material solution that includes electro-optical infrared weather imaging or other comparable solutions.

SEC. 1608. QUARTERLY REPORTS ON GLOBAL POSITIONING SYSTEM III SPACE SEGMENT, GLOBAL POSITIONING SYSTEM CONTROL SEGMENT, AND MILITARY GLOBAL POSITIONING SYSTEM USER EQUIPMENT ACQUISITION PROGRAM.

(a) REPORTS REQUIRED.—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter, the Secretary of the Air Force shall submit to the Comptroller General of the United States a report on the Global Positioning System III space segment, the Global Positioning System operational control segment, and the Military Global Positioning System user equipment acquisition programs.

(b) ELEMENTS.—Each report required by subsection (a) shall address and the costs associated with—

(1) a statement of the status of the program with respect to cost, schedule, and performance;

(2) a description of any changes to the requirements of the program;

(3) a description of any technical risks impacting the cost, schedule, and performance of the program;

(4) an assessment of how such risks are to be addressed and the costs associated with such risks;

(5) an assessment of the extent to which the segments of the program are synchronized;

(c) BRIEFINGS BY COMPTROLLER GENERAL.—The Comptroller General shall provide to the congressional defense committees a briefing on a report submitted under subsection (a)—

(1) in the case of the first such report, not later than 30 days after receiving that report; and

(2) as the Comptroller General considers appropriate thereafter.

(d) TERMINATION.—The requirement under subsection (a) shall terminate with respect to the segments of the program that reaches full operational capability.

SEC. 1609. PLAN FOR CONSOLIDATION OF ACQUISITION OF COMMERCIAL SATELLITE COMMUNICATIONS SERVICES.

(a) In GENERAL.—Not later than January 31, 2016, the Department of Defense Executive Agent for Space shall submit to the congressional defense committees a plan for the consolidation, during the three-year period beginning on the date on which the plan is submitted, of the acquisition of commercial satellite communications services from across the Department of Defense into a program office within the Department of the Air Force.

(b) REQUIREMENTS.—

(1) IN GENERAL.—The plan required by subsection (a) shall—

(A) an assessment of the management and overhead costs relating to the acquisition of commercial satellite communications services across the Department of Defense; and

(B) an estimate of—

(i) the costs of implementing the consolidation of the acquisition of such services described in subparagraph (A); and

(ii) the projected savings of the consolidation.

(2) VALIDATION BY DIRECTOR OF COST ASSESSMENT AND PROGRAM EVALUATION.—The assessment required by paragraph (1)(A) and the estimates required by paragraph (1)(B) shall be validated by the Director of Cost Assessment and Program Evaluation.

SEC. 1610. COUNCIL ON OVERSIGHT OF THE DEPARTMENT OF DEFENSE POSITIONING, NAVIGATION, AND TIMING ENTERPRISE.

(a) In GENERAL.—Chapter 135 of title 10, United States Code, as amended by section 1002, is further amended by adding the following new section:


"(a) ESTABLISHMENT.—There is within the Department of Defense a council to be known as the 'Council on Oversight of the Department of Defense Positioning, Navigation, and Timing Enterprise' (in this section referred to as the 'Council').

"(b) MEMBERSHIP.—The members of the Council shall be as follows:

"(1) The Under Secretary of Defense for Policy.

"(2) The Under Secretary for Defense for Acquisition, Technology, and Logistics.

"(3) The Vice Chairman of the Joint Chiefs of Staff.

"(4) The Commander of the United States Strategic Command.


"(7) The Director of the National Security Agency.

"(8) The Chief Information Officer of the Department of Defense.

"(9) Such other officers of the Department of Defense as the Secretary may designate.

"(c) CO-CHAIR.—The Council shall be co-chaired by the Under Secretary of Defense for Acquisition, Technology, and Logistics and the Vice Chairman of the Joint Chiefs of Staff.

"(d) RESPONSIBILITIES.—(1) The Council shall be responsible for oversight of the Department of Defense positioning, navigation, and timing enterprise, including position, navigation, and timing services provided to civil, commercial, scientific, and international users.

"(2) In carrying out the responsibility for oversight of the Department of Defense positioning, navigation, and timing enterprise as specified in paragraph (1), the Council shall be responsible for the following:

"(i) Oversight of performance assessments (including interoperability).

"(ii) Vulnerability identification and mitigation.

"(iii) Architecture development.

"(iv) Resource prioritization.

"(v) Such other responsibilities as the Secretary of Defense shall specify for purposes of this section.

"(e) ANNUAL REPORTS.—At the same time each year that the budget of the President is submitted to Congress under section 1108(a) of this title, the Council shall submit to the congressional defense committees a report on the activities of the Council. Each report shall include the following:

"(1) A description and assessment of the activities of the Council during the previous fiscal year.

"(2) A description of the activities proposed to be undertaken by the Council during the period covered by the current future-years defense program under section 221 of this title.

"(3) Any changes to the requirements of the Department of Defense positioning, navigation, and timing enterprise during the period covered by the current future-years defense program under section 221 of this title.

SEC. 1611. REPORTS ON TECHNOLOGY BASES.

The Secretary of Defense shall submit reports to Congress not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter, the Secretary of Defense shall submit to Congress a report on the activities of the Council during the previous fiscal year.
the previous year, along with an explanation for why the changes were made and a description of the effects of the changes to the capability of such enterprise."

(4) The council shall designate such program element in such budget that relates to the Department of Defense positioning, navigation, and timing enterprise, including how such program element supports the Department of Defense's space, air, and ground system to the European Union and other nations, and sustained, research and development, procurement, or other activity of such enterprise.

(5) BUDGET AND FUNDING MATTERS.—(1) Not later than 30 days after the President submits to Congress the budget for a fiscal year under section 1105(a) of title 31, the Commandant of the United States Coast Guard shall submit to the Chairman of the Joint Chiefs of Staff an assessment of—

(A) whether such budget allows the Federal Government to meet the required capabilities of the Department of Defense positioning, navigation, and timing enterprise during the fiscal year covered by the budget and the four subsequent fiscal years; and

(B) if the Commander determines that such budget does not allow the Federal Government to meet such required capabilities, a description of the action being taken to meet such required capabilities.

(2) Not later than 30 days after the date on which the Chairman of the Joint Chiefs of Staff receives an assessment of the Commander of the United States Strategic Command under paragraph (1), the Chairman shall submit to the congressional defense committees a report that includes the following:

(A) such as it was submitted to the Chairman; and

(B) any comments of the Chairman.

(3) If a House of Congress adopts a bill authorizing or appropriating funds for the activities of the Department of Defense positioning, navigation, and timing enterprise that, in the assessment of the Commander of the United States Strategic Command, provides insufficient funds for such activities for the period covered by such bill, the Council shall notify the congressional defense committees of the determination.

(6) NOTIFICATION OF ANOMALIES.—(1) The Secretary of Defense shall submit to the congressional defense committees written notification of an anomaly in the Department of Defense positioning, navigation, and timing enterprise that is reported to the Secretary or the Commandant of the United States Coast Guard, and in which the Commander deems that the anomaly compromises the Department of Defense's space, air, and ground system to the European Union and other nations, or sustains, research and development, procurement, or other activity of such enterprise.

(2) In this subsection, the term 'anomaly' means any unexplained, irregular, or abnormal event, whether unexplained or caused intentionally or unintentionally by a person or a system.

(7) TERMINATION.—The Council shall terminate on the date that is 10 years after the date of enactment of this Act, and annually thereafter until the Secretary of Transportation determines no outmoded or duplicative requirements or approvals of the Federal Government relevant to any commercial launch of a launch vehicle or commercial reentry of a reentry vehicle, including the identification of—

(i) any unique requirements for operating on a United States Government launch site, reentry site, or launch property; and

(ii) any inconsistent, outmoded, or duplicative requirements or approvals.

(b) Report Required.—Not later than March 31, 2017, the Secretary shall submit to the congressional defense committees a report on the analysis conducted under subsection (a).

SEC. 1612. EXPANSION OF GOALS FOR PILOT PROGRAM FOR ACQUISITION OF COMMERCIAL SATELLITE COMMUNICATION SERVICES.

Section 1605(b) of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3623; 10 U.S.C. 2208 note) is amended—

(1) in paragraph (3), by striking "; and" and inserting a semicolon;

(2) in paragraph (4), by striking the period at the end and inserting "; and"; and

(3) by adding at the end the following new paragraph:

"(5) demonstrates the potential to achieve order-of-magnitude improvements in satellite communications capability."

SEC. 1613. STREAMLINE COMMERCIAL SPACE LAUNCH ACTIVITIES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that eliminating duplicative requirements and approvals for commercial launch and reentry operations will promote and encourage the development of the commercial space industry.

(b) REAFFIRMATION OF POLICY.—Congress reaffirms that the Secretary of Transportation, in overseeing and coordinating commercial launch and reentry operations, shall—

(1) promote commercial space launches and reentries by the private sector;

(2) facilitate Government, State, and private sector involvement in enhancing United States launch sites and facilities;

(3) protect public health and safety, safety of property, national interests, and foreign policy interests of the United States; and

(4) consult with the head of another executive agency, including the Secretary of Defense or the Administrator of the National Aeronautics and Space Administration, as necessary to provide consistent application of licensing requirements under chapter 509 of title 51, United States Code.

(c) REQUIREMENTS.—

(1) In general.—The Secretary of Transportation under section 50918 of title 51, United States Code, and subject to section 50905(b)(2)(C) of that title, shall—

(A) identify requirements for operating on a United States Government launch site; and

(B) to evaluate the requirements identified in subparagraph (A), coordinate with the licensees or transferees and the heads of the relevant executive agencies—

(i) determine whether the satisfaction of a requirement of one agency could result in the satisfaction of a requirement of another agency; and

(ii) resolve any inconsistencies and remove any outmoded or duplicative requirements or approvals of the Federal Government relevant to any commercial launch of a launch vehicle or commercial reentry of a reentry vehicle; and

(2) Reports.—Not later than 180 days after the date of enactment of this Act, and annually thereafter until the Secretary of Transportation determines no outmoded or duplicative requirements or approvals of the Federal Government relevant to any commercial launch of a launch vehicle or commercial reentry of a reentry vehicle, including the identification of—

(i) any unique requirements for operating on a United States Government launch site, reentry site, or launch property; and

(ii) any inconsistent, outmoded, or duplicative requirements or approvals.

(b) Designation.—(1) In general.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Transportation, in consultation with the Secretary of Defense, the Administrator of the National Aeronautics and Space Administration, the commercial space sector, and the heads of other executive agencies as appropriate, shall submit to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Science, Space, and Technology of the House of Representatives, and the congressional defense committees a report that includes the following:

(A) A description of the process for the application for and approval of a permit or license under chapter 509 of title 51, United States Code, for the commercial launch of a launch vehicle or commercial reentry of a reentry vehicle, including the identification of—

(i) any unique requirements for operating on a United States Government launch site, reentry site, or launch property; and

(ii) any inconsistent, outmoded, or duplicative requirements or approvals.

(B) A description of current efforts, if any, to coordinate and work across executive agencies to define interagency processes and procedures for sharing information, avoiding duplication of effort, and resolving common agency requirements.

(C) Recommendations for legislation that may further streamline requirements in order to improve efficiency, reduce unnecessary costs, resolve inconsistencies, remove duplication, and minimize unwarranted constraints; and

(ii) consolidate or modify requirements across affected agencies into a single application set that satisfies the requirements identified in paragraph (1)(A).

(d) Definitions.—For purposes of this subsection—

(A) any applicable definitions set forth in section 50902 of title 51, United States Code, shall apply;

(B) the terms "launch", "reenter", and "reentry" include landing of a launch vehicle or reentry vehicle; and

(C) the terms "United States Government launch site" and "United States Government reentry site" include any necessary facility, at that location, that is commercially operated on United States Government property.

Subtitle B—Cyber Warfare, Cyber Security, and Related Matters

SEC. 1621. AUTHORIZATION OF MILITARY CYBER OPERATIONS.

(a) In general.—Chapter 3 of title 10, United States Code, is amended by adding at the end the following new section:

"1309g. Authorities concerning military cyber operations

"The Secretary of Defense shall develop, prepare, coordinate, and, when authorized by the President to do so, conduct a military cyber operation in response to malicious cyber activity carried out against the United States or a United States person by a foreign power (as defined in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801)).";

(b) Clerical Amendment.—The table of sections at the beginning of such chapter, as amended by section 1622, is further amended by inserting after the item relating to section 2799a the following new item:


SEC. 1611. ANALYSIS OF ALTERNATIVES FOR WIDE-BAND COMMUNICATIONS.

(a) In General.—The Secretary of Defense shall conduct an analysis of alternatives for a follow-on wide-band communications system to the Wideband Global SATCOM System under section 3313 of title 10, United States Code, and layer communications capabilities of the Department of Defense.

(b) REPORT REQUIRED.—Not later than March 31, 2017, the Secretary shall submit to the congressional defense committees a report on the analysis conducted under subsection (a).
Defense to be responsible for the acquisition of the critical cyber capability.

(2) CRITICAL CYBER CAPABILITIES DESCRIBED.—The critical cyber capabilities described in paragraph (1) are all of the cyber capabilities that the Secretary considers critical to the mission of the Department of Defense, including the following:

(A) The United States Cyber Command
(B) A persistent cyber training environment.
(C) A cyber situational awareness and battle management system.

(b) Report.—

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the designs made under subsection (a).

(2) CONTENTS.—The report required by paragraph (1) shall include the following:

(A) Identification of each designation made under subsection (a).
(B) Plan for evaluation.
(C) An explanation of whether critical cyber capabilities could be acquired more quickly with changes to acquisition authorities.
(D) Such recommendations as the Secretary may have for legislation or administrative action to improve the acquisition of, or acquire more quickly, the critical cyber capabilities for which designations are made under subsection (a).

SEC. 1623. INCENTIVE FOR SUBMITTAL TO CONGRESS OF PLAN FOR INTEGRATED POLICY TO DETER ADVERSARIES IN CYBERSPACE.

Until the President submits to the congressional defense committees the report required by section 941 of the National Defense Authorization Act for Fiscal Year 2014 (127 Stat. 1289, 2014), $10,000,000 may be used for the procurement for the Army, $10,600,000 may be used for the procurement of a relocatable Sensitive Compartmented Information Facility for the Cyber Center of Excellence at Fort Gordon, Georgia, as described in the reprogramming action prior approval request submitted by the Under Secretary of Defense (Comptroller) to Congress on February 6, 2015.

SEC. 1625. EVALUATION OF CYBER VULNERABILITIES OF MAJOR WEAPON SYSTEMS OF THE DEPARTMENT OF DEFENSE.

(a) EVALUATION REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense shall complete an evaluation of the cyber vulnerabilities of each major weapon system of the Department of Defense by not later than December 31, 2019.

(2) EXCEPTION.—The Secretary may waive the requirement of paragraph (1) with respect to a weapon system or complete the evaluation of a weapon system required by such paragraph after the date specified in such paragraph if the Secretary certifies to the congressional defense committees before that date that all known cyber vulnerabilities in the weapon system have minimal consequences for the capability of the weapon system to meet operational requirements or otherwise satisfy mission requirements.

(b) PLAN FOR EVALUATION.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a plan for the evaluation of the cyber vulnerabilities of each major weapon system required by subsection (a), including an identification of each of the weapon systems and an estimate of the funding required to conduct the evaluations.

(2) PRIORITY IN EVALUATIONS.—The plan under paragraph (1) shall accord a priority among evaluations based on the criticality of major weapon systems, as determined by the Chairman of the Joint Chiefs of Staff based on an assessment of employment of forces and threats.

(3) INTEGRATION WITH OTHER EFFORTS.—The plan under paragraph (1) shall build upon existing efforts regarding the identification and mitigation of cyber vulnerabilities of major weapon systems, and shall not duplicate similar ongoing efforts such as ‘‘Task Force Cyber Secure’’ of the Air Force.

(c) STATUS ON PROGRESS.—On a regular basis, the Secretary shall inform the congressional defense committees of the activities undertaken in the evaluation of major weapon systems under this section.

(d) RISK ASSESSMENT.—As part of the evaluation of cyber vulnerabilities of major weapon systems of the Department under this section, the Secretary shall develop a strategy to mitigate the risks of cyber vulnerabilities identified in the course of such evaluations.

(e) AUTHORIZATION OF APPROPRIATIONS.—Of amounts appropriated or otherwise made available under section 201, $200,000,000 shall be available to the Secretary to conduct the evaluations required by subsection (a)(1).

SEC. 1626. ASSESSABILITY OF UNITED STATES CYBER COMMAND TO DEFEND THE UNITED STATES FROM CYBER ATTACKS.

(a) INDEPENDENT ASSESSMENT.—

(1) IN GENERAL.—The Principal Cyber Advisor, with the assistance of the Under Secretary of Defense for Acquisition, Technology, and Logistics, shall sponsor an independent panel to assess the ability of the National Mission Forces of the United States Cyber Command to prevent or block large-scale attacks on the United States by foreign powers with capabilities comparable to the capabilities of China, Iran, North Korea, and Russia expected in the years 2020 and 2025.

(2) INDEPENDENT EXPERTS.—The panel sponsored under paragraph (1) shall include—

(A) independent experts in cyber warfare technology, intelligence, and operations; and
(B) independent experts in non-cyber military operations.

(b) WAR GAMES.—The Chairman of the Joint Chiefs of Staff, in consultation with the Principal Cyber Advisor, shall conduct a series of war games through the Warfighting Analysis Division of the Force Structure, Resources, and Assessment Directorate to assess the strategy, assumptions, and capabilities of the United States Cyber Command to prevent large-scale cyber attacks by foreign powers with capabilities described in subsection (a)(1) from reaching United States targets.

(c) FINDINGS.—Not later than one year after the date of the enactment of this Act—

(1) the Principal Cyber Advisor shall convey to the congressional defense committees the findings of the Principal Cyber Advisor with respect to the assessment conducted by the panel sponsored under subsection (a)(1); and
(2) the Chairman of the Joint Chiefs of Staff shall convey to the congressional defense committees the findings of the Chairmen with respect to the war games conducted under subsection (b)(1).

(d) FOREIGN POWER DEFINED.—In this section, the term ‘‘foreign power’’ has the meaning given the term in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801).

SEC. 1627. BIENNIAL EXERCISES ON RESPONDING TO CYBER ATTACKS AGAINST CRITICAL INFRASTRUCTURE.

(a) BIENNIAL EXERCISES REQUIRED.—Not less frequently than every other years until the date that is six years after the date of the enactment of this Act, the Secretary of Defense shall, in coordination with the Secretary of Homeland Security, the Director of National Intelligence, the Director of the Federal Bureau of Investigation, and the heads of the critical infrastructure sector-specific agencies designated under Presidential Policy Directive-21 entitled ‘‘Critical Infrastructure Security Resilience’’ and dated February 12, 2013 and in consultation with governors of the States and the owners and operators of critical infrastructure, organize and execute one or more exercises based on scenarios in which—

(1) critical infrastructure of the United States is attacked through cyberspace; and
(2) the President directs the Secretary to—

(A) defend the United States; and
(B) provide support to civil authorities in responding to and recovering from cyber attacks.

(b) PURPOSES.—The purposes of the exercises required by subsection (a) are as follows:

(1) To improve cooperation and coordination between various parts of the Government and industry so that the Government and industry can more effectively and efficiently respond to cyber attacks.
(2) To exercise command and control, coordination, communications, and information sharing capabilities under the stressing conditions of an ongoing cyber attack.
(3) To identify gaps and problems that require new enhanced training, capabilities, procedures, or authorities.

(c) REQUIREMENT FOR VARIATION OF ASSUMPTIONS AND CONDITIONS.—In conducting the exercises required by subsection (a), the Secretary shall ensure that there is an appropriate degree of variation from exercise to exercise of the following:

(1) The size, scope, duration, and sophistication of the cyber attacks.
(2) The degree of warning and knowledge that is available to the Department of Defense about the attack and the means used in the attack and the degree of delegation of authority from the President to react, including with pre-planned responses.
(3) The effectiveness of the National Mission Force of the United States Cyber Command in preempting and defeating the attack.
(4) The effectiveness of the attacks on critical infrastructure in general and particularly in specific industry sectors.
(5) The effectiveness of resilience and recovery mechanisms.

(d) COST SHARING AGREEMENTS.—The Secretary shall coordinate with those with whom the Secretary is required to coordinate under subsection (a) to develop equitably cost-shared agreements to defray the expenses of the exercises required by subsection (a).
Subtitle C—Nuclear Forces

SEC. 1631. DESIGNATION OF AIR FORCE OFFICIALS TO BE RESPONSIBLE FOR POLICY ON AND PROCUREMENT OF NUCLEAR COMMAND, CONTROL, AND COMMUNICATIONS SYSTEMS.

(a) Designation of Officials.—

(1) In subsection (c) of section 498 of title 10, United States Code, is amended by adding at the end the following new section:

"(499. Designation of Air Force officials to be responsible for policy on and procurement of nuclear command, control, and communications systems.

"(a) PROCUREMENT.—The Secretary of the Air Force shall designate a senior acquisition official of the Air Force to be responsible for ensuring the procurement and integration of the nuclear command, control, and communication systems of the Air Force.

"(b) Policy.—The Secretary shall designate an official of the Air Force to be responsible for—

"(1) formulating an integrated policy for the nuclear command, control, and communications systems of the Air Force that includes long-term requirements to ensure the requirements of the Department of Defense for nuclear command, control, and communications; and

"(2) ensuring that such policy is integrated across systems using nuclear command, control, and communications systems.

"(b) Clerical Amendment.—The table of sections at the beginning of chapter 24 of title 10, United States Code, is amended by inserting after the item relating to section 498 the following new item:

"499. Designation of Air Force officials to be responsible for policy on and procurement of nuclear command, control, and communications systems."

(2) Clerical Amendment.—The table of sections at the beginning of chapter 24 of title 10, United States Code, is amended by adding after the item relating to section 498 the following new item:

"499. Designation of Air Force officials to be responsible for policy on and procurement of nuclear command, control, and communications systems."

(b) Deadline.—The Secretary of the Air Force shall—

(1) designate the officials required by section 499 of title 10, United States Code, as added by subsection (a)(1), not later than 90 days after the date of the enactment of this Act; and

(2) promptly notify the congressional defense committees of such designation.

SEC. 1632. COMPTROLLER GENERAL OF THE UNITED STATES REVIEW OF RECOMMENDATIONS RELATING TO THE NUCLEAR SECURITY ENTERPRISE.

(a) In General.—The Comptroller General of the United States shall, in each of fiscal years 2016 through 2021, and each year thereafter, conduct a review of the process of the Department of Defense for addressing the recommendations of the Department of Defense Internal Nuclear Enterprise Review, the Independent Review of the Department of Defense Nuclear Enterprise, and the Nuclear Deterrence Enterprise Review Group, that are evaluated by the Office of Cost Assessment and Program Evaluation of the Department of Defense.

(b) Briefing and Report.—After conducting each review under subsection (a), the Comptroller General shall—

(1) provide to the congressional defense committees an initial briefing on the review; and

(2) after providing the briefing under paragraph (1), submit to those committees a written report on the review and such other topics as the committees request during the briefing.

SEC. 1633. ASSESSMENT OF GLOBAL NUCLEAR ENVIRONMENT.

(a) Findings.—Congress makes the following findings:

(1) Nuclear competition among countries has become both different and in some ways more complex than was the case during the Cold War.

(2) During the 25 years preceding the date of the enactment of this Act, additional nuclear powers have emerged.

(b) Assessment Required.—The Director of National Intelligence shall, in coordination with the Commander of the United States Strategic Command, conduct an assessment of the global nuclear environment with respect to nuclear weapons and the role of United States nuclear forces, policy, and strategy in that environment.

(c) Objectives.—The objectives of the assessment required by subsection (b) are to—

(1) inform the long-term planning of the Department of Defense of the potential impact of changes in the nuclear environment that may influence the escalation of nuclear competition among countries.

(d) Requirements.—In conducting the assessment required by subsection (b), the Director shall—

(1) in general, develop an integrated policy for the nuclear command, control, and communications systems of the United States.

(b) Deadline.—The Secretary of the Air Force shall—

(1) develop a plan for expediting the deployment of a long-range standoff weapon.

(c) Analysis of Competitive Discontinuities.—In analyzing the long-term geopolitical and military-technical competition as it relates to nuclear weapons and strategic warfare, the Director shall identify—

(A) prospective discontinuities in that competition; and

(B) strategies and capabilities the United States could adopt to improve its competitive position following such discontinuities.

(a) Availability of Procurement Funds.—Notwithstanding section 1502(a) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 128 Stat. 2806), the amount authorized to be appropriated for fiscal year 2016 by section 101 and available for Procurement, Air Force, as specified in the budget table in section 112(b) of the amount authorized to be appropriated for fiscal year 2016 by section 1454 of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3651).

(b) Covered Parts Defined.—In this section, the term "covered parts" has the meaning given that term in section 1645(c) of such Act.

SEC. 1635. SENSE OF CONGRESS ON POLICY ON THE NUCLEAR TRIAD.

(a) Sense of Congress.—It is the sense of Congress that—

(1) the triad of strategic nuclear delivery systems plays a critical role in ensuring the national security of the United States; and

(2) retaining all three legs of the nuclear triad is among the highest priorities of the Department of Defense and will best maintain strategic stability at a reasonable cost, while hedging against potential technical problems and vulnerabilities.

(b) Statement of Policy.—It is the policy of the United States—

(1) to operate, sustain, and modernize or replace the triad of strategic nuclear delivery systems consisting of—

(A) heavy bombers equipped with nuclear gravity bombs and air-launched nuclear cruise missiles;

(B) land-based intercontinental ballistic missiles equipped with multiple warheads that are capable of carrying multiple independently targetable reentry vehicles; and

(C) ballistic missile submarines equipped with submarine launched ballistic missiles and multiple nuclear warheads.

(2) to operate, sustain, and modernize or replace a capability to forward-deploy nuclear bombers and dual-capable fighter-bomber aircraft;

(3) to deter potential adversaries and assure allies and partners of the United States that a strong and independent United States nuclear deterrent will be available for the United States in times of need.

(d) Nuclear Forces Policy.—SEC. 1636. SENSE OF CONGRESS ON POLICY ON AND PROCUREMENT OF NUCLEAR COMMAND, CONTROL, AND COMMUNICATIONS SYSTEMS.

(a) General.—SEC. 1634. DEADLINE FOR MILESTONE A DECISION ON LONG-RANGE STANDOFF WEAPON.

(a) General.—Not later than May 31, 2016, the Secretary of Defense shall make a Milestone A decision on the long-range standoff weapon.

(b) Availability of Procurement Funds.—Notwithstanding section 1502(a) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 128 Stat. 3651), the amount authorized to be appropriated for fiscal year 2016 by section 101 and available for Procurement, Air Force, as specified in the budget table in section 112(b) of the amount authorized to be appropriated for fiscal year 2016 by section 1454 of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3651).

(b) Covered Parts Defined.—In this section, the term "covered parts" has the meaning given that term in section 1645(c) of such Act.

SEC. 1635. SENSE OF CONGRESS ON POLICY ON THE NUCLEAR TRIAD.

(a) Sense of Congress.—It is the sense of Congress that—

(1) the triad of strategic nuclear delivery systems plays a critical role in ensuring the national security of the United States; and

(2) retaining all three legs of the nuclear triad is among the highest priorities of the Department of Defense and will best maintain strategic stability at a reasonable cost, while hedging against potential technical problems and vulnerabilities.

(b) Statement of Policy.—It is the policy of the United States—

(1) to operate, sustain, and modernize or replace the triad of strategic nuclear delivery systems consisting of—

(A) heavy bombers equipped with nuclear gravity bombs and air-launched nuclear cruise missiles;

(B) land-based intercontinental ballistic missiles equipped with multiple warheads that are capable of carrying multiple independently targetable reentry vehicles; and

(C) ballistic missile submarines equipped with submarine launched ballistic missiles and multiple nuclear warheads.

(2) to operate, sustain, and modernize or replace a capability to forward-deploy nuclear bombers and dual-capable fighter-bomber aircraft;

(3) to deter potential adversaries and assure allies and partners of the United States that a strong and independent United States nuclear deterrent will be available for the United States in times of need.

Subtitle D—Missile Defense Programs

SEC. 1641. PLAN FOR EXPEDITING DEPLOYMENT TIME OF CONTINENTAL UNITED STATES INTERCEPTOR SITE.

(a) General.—Not later than 30 days after the date on which the Secretary of Defense completes preparation of an environmental impact statement pursuant to section 1645 of the Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3651), the Secretary of Defense shall—

(1) develop a plan for expediting the deployment time for a potential future continental United States interceptor site by at
least two years, in the case that the President decides to proceed with such deployment; and
(2) submit to the congressional defense committees a report on such plan.
(b) REPORT ELEMENTS.—The report submitted under subsection (a)(2) shall include the following:
(1) a description of the plan, including estimates of the cost of carrying out the plan and a schedule for carrying out the plan.
(2) A description of such legislative or administrative action as may be necessary to carry out the plan.
(3) An assessment of the risks associated with decreasing the deployment time, including the cost and the operational effectiveness and reliability of interceptors.
(4) Identification of any deviation in the plan from robust acquisition processes, including with respect to testing prior to full operational capability designation.
(c) ASSESSMENT BY COMPTROLLER GENERAL OF THE UNITED STATES.—
(1) IN GENERAL.—Not later than 90 days after the date on which the Secretary submits a report under subsection (a)(2), the Comptroller General shall—
(A) complete a review of the report submitted under subsection (a)(2); and
(B) submit to the congressional defense committees a report on such plan.
(2) REPORT ELEMENTS.—The report required by paragraph (1)(B) shall include the following:
(A) The findings of the Comptroller General with respect to the review conducted pursuant to paragraph (1)(A); and
(B) Recommendations as to the actions that the Comptroller General may have for legislative or administrative action.

SEC. 1642. ADDITIONAL MISSILE DEFENSE SENSITIVITY FOR THE PROTECTION OF THE UNITED STATES HOMELAND.

(a) FINDINGS.—Congress makes the following findings:
(1) According to the Director of the Missile Defense Agency, there are two fundamental means for improving homeland missile defense capability and capacity, one, is the reliability of the interceptor, and two, is the discrimination capability of the system.
(2) The Department of Defense will deploy a new long-range discrimination radar to provide persistent coverage and improve discrimination capabilities against threats to the United States homeland from the Pacific region.
(3) According to the Director of the Missile Defense Agency, a long-range discrimination radar will provide larger hit assessment coverage thereby enabling improved warfighting capabilities to manage ground-based interceptor (GBI) inventory and improve the capacity of the ballistic missile defense system.
(4) According to the Principal Deputy Under Secretary of Defense for Policy, “while Iran has not yet deployed an intercontinental ballistic missile, its progress on space launch vehicles—along with its desire to deter the United States and its allies—provides Tehran with the means and motivation to develop longer-range missiles, including an ICBM. Iran publically stated that it intends to launch a space-launch vehicle capable of putting a payload into low earth orbit and a new intercontinental ballistic missile attack from North Korea and Iran; and
(2) additional missile defense sensor discrimination capabilities are needed to enhance the protection of the United States homeland against potential long-range ballistic missiles from Iran that, according to the Department of Defense, could soon be obtained by Iran as a result of its active space launch program.
(c) DEPLOYMENT OF ADDITIONAL COVERAGE.—The Director of the Missile Defense Agency shall, in consultation with the President, the Department of Defense, and the Department of State, submit a certified plan to the congressional defense committees to deploy the additional operational capability designation.

SEC. 1644. AIR DEFENSE CAPABILITY AT NORTH ATLANTIC TREATY ORGANIZATION MISSILE DEFENSE SITES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Defense, in consultation with the North Atlantic Treaty Organization (NATO), to include an agreement with NATO to provide anti-air defense capability at all missile defense sites of the North Atlantic Treaty Organization in support of phase two of the European Phase-Adaptive Approach.
(b) REPORTS.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report providing—
(1) the plan to provide anti-air defense capability as described in subsection (a); and
(2) the contributions being made by the North Atlantic Treaty Organization and members of such organization to support the provision of the capability described in such subsection.

SEC. 1645. ISRAELI COOPERATIVE MISSILE DEFENSE PROGRAM CODEVELOPMENT AND POTENTIAL COPRODUCTION.

(a) IN GENERAL.—Except as provided in this section, of the amount authorized to be appropriated for fiscal year 2016 for Procurement, Defense-wide, and available for the Missile Defense Agency, $150,000,000 may be provided to the Government of Israel to procure the David’s Sling Weapon System and $15,000,000 for the Arrow 3 Upper Tier Interceptor Program, including for coproduction of parts and components in the United States.
(b) CERTIFICATION.—Following successful completion of milestone verification, readiness reviews in the research, development, and technology agreements for the David’s Sling Weapon System and the Arrow 3 Upper Tier Interceptor Program, the Director of the Missile Defense Agency may disburse amounts available pursuant to subsection (a) on the basis of a one-for-one cash match with such funds provided by the Government of Israel, or in amounts that otherwise meet best efforts (as mutually agreed by the United States and Israel), on or after the date that is 90 days after the Director and the Under Secretary of Defense for Acquisition, Technology and Logistics jointly submit to the congressional defense committees a certification that the United States has entered into a bilateral agreement with the Government of Israel that accomplishes the following:
(1) Establishes the terms of co-production of parts and components of the respective systems—
(A) on the basis of what will minimize non-recurring engineering and facilitization expenses; and
(B) that ensures that, in the case of co-production for the David’s Sling Weapon System, that any co-production and related construction is carried out by United States persons.
(2) Establishes complete transparency on the Israeli requirement for the number of interceptors and batteries of the respective systems that will be procured.
(3) Allows the Director of the Missile Defense Agency and the Under Secretary of Defense for Acquisition, Technology and Logistics to establish technical milestones for co-production and procurement of the respective systems.
(4) Establishes joint approval processes for third party sales of such systems.

SEC. 1646. DEVELOPMENT AND DEPLOYMENT OF MULTIPLE-OBJECT KILL VEHICLE FOR MISSILE DEFENSE OF THE UNITED STATES HOMELAND.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—
(1) the defense of the United States homeland against the threat of limited ballistic missile attack (whether accidental, unauthorized, or deliberate) is a national priority; and
(2) as the threat described in paragraph (1) continues to evolve, the multiple-object kill vehicle could contribute to the United States’ ability to match with such funds provided by the Government of Israel to procure the David’s Sling Weapon System.
(b) MULTIPLE-OBJECT KILL VEHICLE.—
(1) DEVELOPMENT.—The Director of the Missile Defense Agency shall develop a highly reliable, cost-effective multiple-object kill vehicle that is capable of engaging targets in the midcourse phase of flight. The Director shall deliver to the Government of Israel one multiple-object kill vehicle under paragraph (1) by not later than 2020; and
(2) FIELD SUCH VEHICLE AS SOON AS TECHNICALLY PRACTICAL.—The Director shall ensure that the multiple-object kill vehicle developed under subsection (b)(1)
meet, at a minimum, the following capabilities and criteria:

(1) Vehicle-to-vehicle communications.
(2) Vehicle-to-ground communications.
(3) Vehicle-to-vehicle capability.
(4) The ability to counter advanced counter measures, decoys, and penetration aids.
(5) Producing and manufacturing.
(6) High tech technologies involving high technology readiness levels.
(7) Options to be integrated as part of other missile defense interceptor vehicles other than X-waveform interceptors of the ground-based midcourse defense system.
(8) Sound acquisition processes, in coordination with the Secretary of Defense for Acquisition, Technology, and Logistics and the Missile Defense Executive Board.
(9) The management of the multiple-object kill vehicle program under subsection (b) shall report directly to the Deputy Director of the Missile Defense Agency.

SEC. 1647. REQUIREMENT TO REPLACE CAPABILITY ENHANCEMENT I EXOATMOSPHERIC KILL VEHICLES.

(a) In General—Subject to subsection (b), the Director of the Missile Defense Agency shall ensure, to the maximum extent practicable, that all remaining ground-based interceptors of the exoatmospheric kill vehicle before Sept. 30, 2022.

(b) Condition—Subsection (a) shall not apply if the Department of Defense identifies that the flight and intercept testing of the redesigned exoatmospheric kill vehicle is not successful.

SEC. 1648. AIRBORNE BOOST PHASE DEFENSE SYSTEM.

(a) Findings—Congress makes the following findings:

(1) The growing threat posed by increasingly accurate and longer-ranged ballistic and cruise missiles, the Missile Defense Agency, in collaboration with the Defense Advanced Research Projects Agency and the military services, is pursuing a suite of laser technologies that could serve as a cost-effective solution for destroying cruise missiles and ballistic missiles in the boost phase.

(2) A successful airborne boost phase defense system could transform United States missile defense capabilities against a broad range of missile threats, and place defense on the winning side of the offense-defense cost curve.

(b) Policy—The Secretary of Defense shall—

(1) prioritize technology investments in the Department of Defense to support efforts by the Missile Defense Agency to develop and field an airborne boost phase defense system by fiscal year 2025;

(2) ensure that development and fielding of the airborne boost phase defense system supports multiple warfighter missile defense requirements, including, specifically, protection of the homeland and allies against cruise missiles, theater ballistic missiles, particularly in the boost phase;

(3) continue development and fielding of high-energy lasers and high-power microwave systems as part of a layered architecture to defend ships and theater bases against air and cruise missile strikes;

(4) factor integration amongst the military services and the Defense Advanced Research Projects Agency with respect to their high energy laser and directed energy efforts and technologies in support of the Missile Defense Agency; and

(5) ensure cooperation and coordination between the Missile Defense Agency in its plans for the airborne laser and Air Force in its requirements for unmanned aerial vehicles.

(c) Report to Congress.—

(1) In general.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Secretary of Defense an annual report on the efforts of the Department of Defense to develop and deploy an airborne boost phase defense system for missile defense by fiscal year 2025.

(2) Elements.—The report required by paragraph (1) shall include the following:

(A) Such schedules, costs, warfighter requirements, operational concepts, constraints, potential alternative boost phase approaches, and other information regarding the efforts described in paragraph (1) as the Secretary determines appropriate.

(B) Analysis of the efforts described in paragraph (1) with respect to the following:

(i) A case in which the Department is under funding constraints with respect to such efforts and progress is based on the state of the technology.

(ii) A case in which the Department is under funding constraints and the efforts are carried out in accordance with a moderately aggressive schedule and are subject to moderate technical risk.

(iii) A case in which the Department is under funding constraints and the efforts are carried out in accordance with a less aggressive schedule and are subject to less technical risk.

(C) An update on related efforts of the Department to develop high energy lasers and high power microwave systems to defend ships and theater bases against air and cruise missiles.

(D) Such recommendations as the Secretary may have for legislative or administrative action to enable more rapid fielding of a directed-energy based missile defense system.

(3) Form.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

SEC. 1650. EXTENSION OF LIMITATION ON PROVIDING CERTAIN SENSITIVE MISSILE DEFENSE INFORMATION TO THE MISSILE DEFENSE AGENCY.


SEC. 1651. EXTENSION OF REQUIREMENT FOR COMPTROLLER GENERAL OF THE UNITED STATES REVIEW AND ASSESSMENT OF MISSILE DEFENSE ACQUISITION PROGRAMS.

Section 232 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking "2015" and inserting "2020"; and

(B) in paragraph (2), in the first sentence, by striking "through 2016" and inserting "through 2021"; and

(2) in subsection (b), in the matter before paragraph (1), by striking "first three".

Subtitle E—Other Matters

SEC. 1660. MEASURES TO ASSURE CONFORMITY TO VIOLATIONS OF THE INTERMEDIATE-RANGE NUCLEAR FORCES TREATY.

(a) Findings.—Congress makes the following findings:

(1) On July 31, 2014, the Department of State released its report entitled "Adherence to and Compliance With Arms Control, Nonproliferation, and Disarmament Agreements and Commitments", which included the finding that "[t]he United States has determined that the Russian Federation is in violation of its obligations under the INF Treaty not to possess, produce or flight test a ground-launched cruise missile (GLCM) with a range capability of 500 km to 5,500 km, or to possess or produce launchers of such missiles."

(2) The United States has undertaken diplomatic efforts to address with the Russian Federation its violations of the INF Treaty since 2014 and the Russian Federation has failed to respond to those efforts in any way.

(3) The Commander of the United States European Command, and Supreme Allied Command Europe, General Philip Breedlove stated that "[a] weapon capability that violates the INF, that is introduced into the greater European land mass, is absolutely a tool that will have to be dealt with" and "[i]t can’t go unanswered."

(4) The Secretary of Defense has informed Congress that in range of options in response to the violation by the Russian Federation of the INF Treaty could include "active defenses to counter intermediate-range ground-launched cruise missiles; ballistic missile capabilities to prevent intermediate-range ground-launched cruise missile attacks; and countervailing strike capabilities to enhance U.S., or, alternatively, the Russian Federation's ability to respond in a manner capable of dissuading the United States from a retaliatory strike." (b) Sense of Congress.—It is the sense of Congress that—

(1) the development and deployment of a nuclear ground-launched cruise missile by the Russian Federation in violation of the INF Treaty would pose a dangerous threat to the United States and its allies; and

(2) the Russian Federation has established an increasing role for nuclear weapons in its military strategy.

(3) efforts taken by the President or the Congress of the Russian Federation to return to compliance with the INF Treaty must be persistent and are in the best interests of the United States, but cannot be open-ended; and

(4) efforts by the United States to develop military and nonmilitary options for responding to violations of the INF Treaty could encourage the Russian Federation to return to compliance with the INF Treaty.

(c) Notification.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the President shall notify the appropriate congressional committees with respect to whether the Russian Federation—

(1) has flight-tested, has deployed, or possesses a military system that has achieved an initial operational capability that is either a ground-launched ballistic missile or ground-launched cruise missile with a flight-tested range of between 500 and 5,500 kilometers; or

(2) has begun taking measures to return to full compliance with the INF Treaty, including verification measures necessary to achieve high confidence that any missile described in paragraph (1) will be eliminated.

(d) Authorization to Use Force.—If the President determines that the Russian Federation has violated the provisions of the INF Treaty, or flight-tested a ground-launched cruise missile (GLCM) with a range capability of 500 km to 5,500 km, or to possess or produce launchers of such missiles, the President, by and with the advice and consent of the Senate, may take all necessary and appropriate military action to meet such threats to the national security of the United States.
(2) efforts to develop, with the North Atlantic Treaty Organization and such allies, collective responses, including economic and military responses, to arms control violations by the Russian Federation, including violations of the INF Treaty.

(e) PLAN ON RESPONSE OPTIONS.—

(1) PLAN ON RESPONSE OPTIONS.—

(A) IN GENERAL.—If, as of the date of the enactment of this Act, the Russian Federation has not begun taking measures to return to full compliance with the INF Treaty, including by agreeing to verification measures necessary to achieve high confidence that any ground-launched ballistic missile or ground-launched cruise missile with a flight-tested range of between 500 and 5,500 kilometers will be eliminated, the Secretary of Defense shall, not later than 120 days after such date, submit to Congress a plan with respect to developing the following military capabilities:

(i) Counterforce capabilities to prevent intermediate-range ground-launched ballistic missile and cruise missile attacks, whether or not such capabilities are in compliance with the INF Treaty and including capabilities that may be acquired from allies of the United States.

(ii) Counterbalancing strike capabilities to enhance the deterrents of the United States or allies of the United States, whether or not such capabilities are in compliance with the INF Treaty and including capabilities that may be acquired from allies of the United States.

(iii) Active defenses to defend against intermediate-range ground-launched cruise missile attacks.

(B) COST AND SCHEDULE ESTIMATES.—The Secretary shall include in the plan required by subparagraph (A), with respect to each military capability described in clauses (i), (ii), and (iii) of that subparagraph, an estimate of cost and the approximate time for achieving a Milestone A decision, if such a decision is required.

(C) AVAILABILITY OF FUNDS FOR RECOMMENDED CAPABILITIES.—The Secretary may use funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for research, development, test, and evaluation, Defense-wide, as specified in the funding table in section 4201, to carry out the development of capabilities pursuant to subparagraph (A) that are recommended by the Chairman of the Joint Chiefs of Staff to meet military requirement priorities and capability gaps. In making such a recommendation, the Chairman shall give priority to such capabilities that the Chairman determines could be tested and fielded most expeditiously, with the most priority given to capabilities that the Chairman determines could be fielded in two years.

(2) OTHER RESPONSE OPTIONS.—The President considers useful to encourage the Russian Federation to return to full compliance with the INF Treaty or necessary to respond to the failure of the Russian Federation to return to full compliance with the INF Treaty.

(f) DEFINITIONS.—In this section:

(1) AUTHORIZED CONGRESSIONAL COMMITTEES.—The term ‘‘appropriate congressional committees’’ means—

(A) the congressional defense committees; and

(B) the Committee on Foreign Relations and the Permanent Select Committee on Intelligence of the Senate; and

(C) the Committee on Foreign Affairs and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) INF TREATY.—The term ‘‘INF Treaty’’ means the Treaty between the United States of America and the Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles, signed at Washington December 8, 1987, and entered into force June 1, 1988 (commonly referred to as the ‘‘Intermediate-Range Nuclear Forces Treaty’’ or ‘‘INF Treaty’’).

 SEC. 1602. MODIFICATION OF NOTIFICATION AND ASSESSMENT OF PROPOSAL TO MODIFY OR INTRODUCE NEW AIRCRAFT OR SENSORS FOR FLIGHT BY THE RUSSIAN FEDERATION UNDER THE OPEN SKIES TREATY.

(a) IN GENERAL.—Section 1242(b) of the Carl Levin and Howard P. ‘‘Buck’’ McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291) is amended—

(1) in paragraph (1), by striking ‘‘30 days’’ and inserting ‘‘90 days’’; and

(2) in paragraph (2), by adding at the end the following new sentence: ‘‘The assessment shall also include an assessment of the proposal by the commander of each combatant command potentially affected by the proposal, including an assessment of the potential effects of the proposal on operations and any potential vulnerabilities raised by the proposal.’’.

(b) REPORTS ON MEETINGS OF OPEN SKIES CONSULTATIVE COMMISSION.—

(1) IN GENERAL.—Not later than 30 days after the date of any meeting of the Open Skies Consultative Commission that occurs after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a report describing the content of such meetings, including a description of any agreements entered into during such meeting and whether any such agreement will result in a modification to the aircraft or sensors of any State Party to the Open Skies Treaty that will be subject to the Open Skies Treaty.

(2) DEFINITIONS.—In this subsection, the term ‘‘appropriate committees of Congress’’ and ‘‘Open Skies Treaty’’ have the meaning given such terms in section 1242 of the Carl Levin and Howard P. ‘‘Buck’’ McKeon National Defense Authorization Act for Fiscal Year 2015.

SEC. 1603. MILESTONE A DECISION FOR THE CONVENTIONAL PROMPT GLOBAL STRIKE WEAPONS SYSTEM.

The Secretary of Defense shall make a Milestone A decision for the Conventional Prompt Global Strike Weapons System not later than the earlier of—

(1) September 30, 2020; or

(2) the date that is 18 months after the successful completion of Intermediate Range Flight 2 of that System.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

SEC. 2001. SHORT TITLE.

This division may be cited as the ‘‘Military Construction Authorization Act for Fiscal Year 2019’’.

SEC. 2002. EXPIRATION OF AUTHORIZATIONS AND AMOUNTS REQUIRED TO BE SPECIFIED.

(a) EXPIRATION OF AUTHORIZATIONS AFTER THREE YEARS.—Except as provided in subsection (b), all authorizations contained in titles XXI through XXVII for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment Program (and authorizations of appropriations therefor) shall expire on the later of—

(1) October 1, 2018; or

(2) the date of the enactment of an Act authorizing funds for military construction for fiscal year 2019.

(b) EXCEPTION.—Subsection (a) shall not apply to authorizations for military construction projects, land acquisition, family housing projects and facilities, or contributions to the North Atlantic Treaty Organization Security Investment Program (and authorizations of appropriations therefor), for which appropriated funds have been obligated before the later of—

(1) October 1, 2018; or

(2) the date of the enactment of an Act authorizing funds for fiscal year 2019 for military construction projects, land acquisition, family housing projects and facilities, or contributions to the North Atlantic Treaty Organization Security Investment Program.

TITLE XXI—ARMY MILITARY CONSTRUCTION

SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using any amounts appropriated pursuant to the authorization of appropriations in section 2104(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alaska</td>
<td>Fort Greely</td>
<td>$7,800,000</td>
</tr>
<tr>
<td>California</td>
<td>Concord</td>
<td>$5,800,000</td>
</tr>
<tr>
<td>Colorado</td>
<td>Fort Carson</td>
<td>$90,000,000</td>
</tr>
<tr>
<td>Georgia</td>
<td>Fort Gordon</td>
<td>$90,000,000</td>
</tr>
<tr>
<td>Maryland</td>
<td>Fort Meade</td>
<td>$34,500,000</td>
</tr>
<tr>
<td>New York</td>
<td>Fort Drum</td>
<td>$15,000,000</td>
</tr>
<tr>
<td>Oklahoma</td>
<td>Fort Sill</td>
<td>$70,000,000</td>
</tr>
<tr>
<td>Texas</td>
<td>Corpus Christi</td>
<td>$69,400,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Fort Lee</td>
<td>$85,000,000</td>
</tr>
<tr>
<td>Alabama</td>
<td>$53,000,000</td>
<td></td>
</tr>
</tbody>
</table>

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a) and available for military construction projects outside the United States as specified in the funding table in section 4601,
the Secretary of the Army may acquire real property and carry out the military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cuba</td>
<td>Guantanamo Bay</td>
<td>$76,000,000</td>
</tr>
<tr>
<td>Germany</td>
<td>Grafenwoehr</td>
<td>$51,000,000</td>
</tr>
</tbody>
</table>

SEC. 2102. FAMILY HOUSING.

(a) Construction and Acquisition.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may construct or acquire family housing units (including land acquisition and supporting facilities) at the installations or locations, in the number of units, and in the amounts set forth in the following table:

<table>
<thead>
<tr>
<th>State/Country</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Florida</td>
<td>Camp Rudder</td>
<td>$8,000,000</td>
</tr>
<tr>
<td>Illinois</td>
<td>Rock Island</td>
<td>$20,000,000</td>
</tr>
<tr>
<td>Korea</td>
<td>Camp Walker</td>
<td>$61,000,000</td>
</tr>
</tbody>
</table>

(b) Planning and Design.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $71,195,000.

SEC. 2103. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2104(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may improve existing military family housing units in an amount not to exceed $3,500,000.

SEC. 2104. AUTHORIZATION OF APPROPRIATIONS, ARMY.

(a) Authorization of Appropriations.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2015, for military construction, land acquisition, and military family housing functions of the Department of the Army as specified in the funding table in section 4601.

(b) Limitation on Total Cost of Construction Projects.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2101 of this Act may not exceed the sum of the following:

1. The total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

2. $226,400,000 (the balance of the amount authorized under section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113–291) for a Command and Control Facility at Fort Shafter, Hawaii).

3. $6,000,000 (the balance of the amount authorized under section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113–291) for a Command and Control Facility at Fort Shafter, Hawaii).

4. $78,000,000 (the balance of the amount authorized under section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2119) for cadet barracks at the United States Military Academy, New York).

SEC. 2105. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2013 PROJECT.

In the case of the authorization contained in the table in section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2119) for the United States Military Academy, New York, for construction of a Cadet barracks building at the installation, the Secretary of the Army may install mechanical equipment and distribution lines sufficient to provide chilled water for air conditioning the nine existing historical Cadet barracks which are being renovated through the Cadet Barracks Upgrade Program.

SEC. 2106. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2012 PROJECTS.

(a) Extension.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1661), the authorizations set forth in the table in subsection (b), as provided in section 2101 of that Act (125 Stat. 1661), shall remain in effect until October 1, 2016, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2017, whichever is later.

(b) Table.—The table referred to in subsection (a) is as follows:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Georgia</td>
<td>Fort Benning</td>
<td>Land Acquisition</td>
<td>$25,000,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Fort Belvoir</td>
<td>Road and Infrastructure Improvements</td>
<td>$25,000,000</td>
</tr>
</tbody>
</table>

SEC. 2107. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2013 PROJECTS.

(a) Extension.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2118), the authorizations set forth in the table in subsection (b), as provided in section 2101 of that Act (126 Stat. 2119) shall remain in effect until October 1, 2016, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2017, whichever is later.

(b) Table.—The table referred to in subsection (a) is as follows:

<table>
<thead>
<tr>
<th>State or Country</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>District of Columbia</td>
<td>Fort McEvin</td>
<td>Vehicle Storage Building, Installation</td>
<td>$7,191,000</td>
</tr>
<tr>
<td>Kansas</td>
<td>Fort Riley</td>
<td>Unmanned Aerial Vehicle Complex</td>
<td>$12,184,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Fort Bragg</td>
<td>Aerial Gunnery Range</td>
<td>$41,945,000</td>
</tr>
<tr>
<td>Texas</td>
<td>Joint Base San Antonio</td>
<td>Barracks</td>
<td>$20,971,000</td>
</tr>
</tbody>
</table>
(b) **OUTSIDE THE UNITED STATES.**—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the installation or location outside the United States, and in the amounts, set forth in the following table:

### Navy: Outside the United States

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bahrain Island</td>
<td>Southwest Asia</td>
<td>$89,791,000</td>
</tr>
<tr>
<td>Guam</td>
<td>Joint Region Marianas</td>
<td>$181,768,000</td>
</tr>
<tr>
<td>Italy</td>
<td>Camp Butler</td>
<td>$39,809,000</td>
</tr>
<tr>
<td>Japan</td>
<td>Iwakuni</td>
<td>$11,697,000</td>
</tr>
<tr>
<td></td>
<td>Yokosuka</td>
<td>$25,310,000</td>
</tr>
<tr>
<td>Poland</td>
<td>RedziKowo Base</td>
<td>$51,270,000</td>
</tr>
</tbody>
</table>

### States

<table>
<thead>
<tr>
<th>State or Country</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arizona</td>
<td>Yuma</td>
<td>$50,635,000</td>
</tr>
<tr>
<td>California</td>
<td>Coronado</td>
<td>$1,856,000</td>
</tr>
<tr>
<td></td>
<td>Lemoore</td>
<td>$71,830,000</td>
</tr>
<tr>
<td></td>
<td>Miramar</td>
<td>$11,200,000</td>
</tr>
<tr>
<td></td>
<td>Pendleton</td>
<td>$83,800,000</td>
</tr>
<tr>
<td>Florida</td>
<td>Point Mugu</td>
<td>$22,427,000</td>
</tr>
<tr>
<td></td>
<td>San Diego</td>
<td>$28,989,000</td>
</tr>
<tr>
<td></td>
<td>Twentynine Palms</td>
<td>$9,160,000</td>
</tr>
<tr>
<td></td>
<td>Jacksonville</td>
<td>$16,751,000</td>
</tr>
<tr>
<td></td>
<td>Mayport</td>
<td>$16,159,000</td>
</tr>
<tr>
<td></td>
<td>Pensacola</td>
<td>$18,347,000</td>
</tr>
<tr>
<td>Georgia</td>
<td>Whiting Field</td>
<td>$10,421,000</td>
</tr>
<tr>
<td></td>
<td>Albany</td>
<td>$7,851,000</td>
</tr>
<tr>
<td></td>
<td>Kings Bay</td>
<td>$8,099,000</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Townsend</td>
<td>$43,279,000</td>
</tr>
<tr>
<td></td>
<td>Barking Sands</td>
<td>$30,623,000</td>
</tr>
<tr>
<td></td>
<td>Joint Base Pearl Harbor-Hickam</td>
<td>$14,981,000</td>
</tr>
<tr>
<td></td>
<td>Kaneohe Bay</td>
<td>$106,618,000</td>
</tr>
<tr>
<td></td>
<td>Marine Corps Base Hawaii</td>
<td>$12,800,000</td>
</tr>
<tr>
<td>Maryland</td>
<td>Patuxent River</td>
<td>$40,935,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Camp Lejeune</td>
<td>$74,249,000</td>
</tr>
<tr>
<td></td>
<td>Cherry Point Marine Corps Air Station</td>
<td>$57,726,000</td>
</tr>
<tr>
<td></td>
<td>New River</td>
<td>$8,230,000</td>
</tr>
<tr>
<td>South Carolina</td>
<td>Parries Island</td>
<td>$27,075,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Dam Neck</td>
<td>$29,086,000</td>
</tr>
<tr>
<td></td>
<td>Norfolk</td>
<td>$126,877,000</td>
</tr>
<tr>
<td></td>
<td>Portsmouth</td>
<td>$45,513,000</td>
</tr>
<tr>
<td>Washington</td>
<td>Bangor</td>
<td>$34,177,000</td>
</tr>
<tr>
<td></td>
<td>Bremerton</td>
<td>$22,680,000</td>
</tr>
<tr>
<td></td>
<td>Indian Island</td>
<td>$4,472,000</td>
</tr>
</tbody>
</table>
Navy may construct or acquire family housing locations (including land acquisition and supporting facilities) at the installations or

(b) Planning and Design.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $4,588,000.

SEC. 2203. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may improve existing military family housing units in an amount not to exceed $11,515,000.

SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.

(a) Authorization of Appropriations.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2015, for military construction, land acquisition, and military family housing functions of the Department of the Navy, as specified in the funding table in section 4601.

(b) Limitation on Total Cost of Construction Projects.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2201 of this Act may not exceed the sum of the following:

1. The total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

2. ($774,099,000) the balance of the amount authorized under section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1666) for an explosive handling wharf at Kitsap, Washington.

3. ($68,196,000) the balance of the amount authorized under section 2201(b) of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111–84; 123 Stat. 2833) for ramp parking at Joint Region Marianas, Guam.

SEC. 2205. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2012 PROJECTS.

(a) Extension.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1660), the authorizations set forth in the table in subsection (b), as provided in section 2201 of that Act (125 Stat. 1666) and extended by section 2208 of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 114–328; 128 Stat. 3678), shall remain in effect until October 1, 2016, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2017, whichever is later.

(b) Table.—The table referred to in subsection (a) is as follows:

### Title XXIII—Air Force Military Construction

SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) Inside the United States.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

### Air Force: Inside the United States

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alaska</td>
<td>Eielson Air Force Base</td>
<td>$71,400,000</td>
</tr>
<tr>
<td>Arizona</td>
<td>Davis-Monthan Air Force Base</td>
<td>$16,900,000</td>
</tr>
<tr>
<td>Colorado</td>
<td>Luke Air Force Base</td>
<td>$77,700,000</td>
</tr>
<tr>
<td>CONUS Classified</td>
<td>U.S. Air Force Academy</td>
<td>$10,000,000</td>
</tr>
<tr>
<td>Florida</td>
<td>Cape Canaveral Air Force Station</td>
<td>$21,000,000</td>
</tr>
</tbody>
</table>
### Air Force: Outside the United States

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Greenland</td>
<td>Thule Air Base</td>
<td>$41,965,000</td>
</tr>
<tr>
<td>Guam</td>
<td>Joint Region Marianas</td>
<td>$50,800,000</td>
</tr>
<tr>
<td>Japan</td>
<td>Kadena Air Base</td>
<td>$3,000,000</td>
</tr>
<tr>
<td>Niger</td>
<td>Agadez</td>
<td>$8,461,000</td>
</tr>
<tr>
<td>Oman</td>
<td>Al Musannah Air Base</td>
<td>$25,000,000</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>Royal Air Force Croughton</td>
<td>$130,615,000</td>
</tr>
</tbody>
</table>

**SEC. 2302. FAMILY HOUSING.**

Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a) and available for military family housing functions as specified in the funding table in section 2301, the Secretary of the Air Force may construct, acquire, and carry out improvements of family housing units in an amount not to exceed $150,649,000.

**SEC. 2303. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.**

Subject to section 2202 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2304(a) and available for military family housing functions as specified in the funding table in section 2301, the Secretary of the Air Force may construct, acquire, and carry out improvements of family housing units in an amount not to exceed $150,649,000.

**SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR FORCE.**

(a) **AUTHORIZATION OF APPROPRIATIONS.—** Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2015, for military construction, land acquisition, and military family housing functions of the Department of the Air Force, as specified in the funding table in section 4601.

(b) **LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—** Notwithstanding the cost variations authorized by section 2383 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 4601 of this Act may not exceed the sum of the following:


2. The total amount authorized to be appropriated under section 2301(a) of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 114–113; 128 Stat. 2636) for Hickam Air Force Base, Hawaii, for construction of a ground control tower at the installation, the Secretary of the Air Force may install communications cabling.

SEC. 2305. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2010 PROJECT.

In the case of the authorization contained in the table in section 2301(a) of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111–84; 124 Stat. 344) for joint operations center at Fort Meade, Maryland.

SEC. 2306. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2015 PROJECT.

In the case of the authorization contained in the table in section 2301(b) of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 114–106; 128 Stat. 2851) for RAF Lakenheath, United Kingdom, for construction of a Guardian Angel Operations Facility at the installation, the Secretary of the Air Force may construct the facility at an unspecified worldwide location.

SEC. 2307. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2015 PROJECT.

In the case of the authorization contained in the table in section 2301(a) of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 114–113; 128 Stat. 2636) for McConnell Air Force Base, Kansas, for construction of a KC-46A Alter Composite Maintenance Shop at the installation, the Secretary of the Air Force may construct a 696 square meter (7,500 square foot) facility consistent with Air Force guidelines for composite maintenance shops.

SEC. 2308. EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 2012 PROJECT.

(a) **EXTENSION.—** Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 111–326; 124 Stat. 8566), the authority set forth in the table in subsection (b), as provided in section 2001 of that Act (125 Stat. 1676), shall remain in effect until October 1, 2016, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2017, whichever is later.

(b) **TABLE.—** The table referred to in subsection (a) is as follows:

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Italy</td>
<td>Sighella Naval Air Station</td>
<td>UAS SATCOM Relay Pads and Facility</td>
<td>$15,000,000</td>
</tr>
</tbody>
</table>
(a) Extension.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–258; 126 Stat. 2128), the authorization set forth in the table in subsection (b), as provided in section 2301 of that Act (126 Stat. 2128), shall remain in effect until October 1, 2016, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2017, whichever is later.

(b) Table.—The table referred to in subsection (a) is as follows:

### Air Force: Extension of 2013 Project Authorization

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Portugal</td>
<td>Lajes Field</td>
<td>Sanitary Sewer Lift/Pump Station</td>
<td>$2,000,000</td>
</tr>
</tbody>
</table>

**TITLE XXIV—DEFENSE AGENCIES MILITARY CONSTRUCTION**

**SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

(a) Inside the United States.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of Defense may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

#### Defense Agencies: Inside the United States

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alabama</td>
<td>Fort Rucker</td>
<td>$46,787,000</td>
</tr>
<tr>
<td>Arizona</td>
<td>Maxwell Air Force Base</td>
<td>$32,968,000</td>
</tr>
<tr>
<td>California</td>
<td>Fort Huachuca</td>
<td>$3,884,000</td>
</tr>
<tr>
<td>Colorado</td>
<td>Fort Carson</td>
<td>$8,243,000</td>
</tr>
<tr>
<td>CONUS Classified</td>
<td>Classified Location</td>
<td>$20,065,000</td>
</tr>
<tr>
<td>Delaware</td>
<td>Dover Air Force Base</td>
<td>$21,600,000</td>
</tr>
<tr>
<td>Florida</td>
<td>Hurlburt Field</td>
<td>$17,989,000</td>
</tr>
<tr>
<td>Georgia</td>
<td>Moody Air Force Base</td>
<td>$39,142,000</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Kaneohe Bay</td>
<td>$10,900,000</td>
</tr>
<tr>
<td>Kentucky</td>
<td>Fort Campbell</td>
<td>$12,553,000</td>
</tr>
<tr>
<td>Maryland</td>
<td>Fort Meade</td>
<td>$23,279,000</td>
</tr>
<tr>
<td>Nevada</td>
<td>Nellis Air Force Base</td>
<td>$16,077,000</td>
</tr>
<tr>
<td>New Mexico</td>
<td>Cannon Air Force Base</td>
<td>$45,111,000</td>
</tr>
<tr>
<td>New York</td>
<td>West Point</td>
<td>$55,778,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Camp Lejeune</td>
<td>$69,006,000</td>
</tr>
<tr>
<td>Ohio</td>
<td>Fort Bragg</td>
<td>$168,811,000</td>
</tr>
<tr>
<td>Oregon</td>
<td>Klamath Falls IAP</td>
<td>$2,500,000</td>
</tr>
<tr>
<td>South Carolina</td>
<td>Fort Jackson</td>
<td>$26,157,000</td>
</tr>
<tr>
<td>Texas</td>
<td>Joint Base San Antonio</td>
<td>$61,776,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Fort Belvoir</td>
<td>$9,500,000</td>
</tr>
<tr>
<td></td>
<td>Joint Base Langley-Eustis</td>
<td>$20,000,000</td>
</tr>
<tr>
<td></td>
<td>Joint Expeditionary Base Little Creek-Story</td>
<td>$25,916,000</td>
</tr>
</tbody>
</table>

(b) Outside the United States.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of Defense may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following:

#### Defense Agencies: Outside the United States

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Djibouti</td>
<td>Camp Lemonier</td>
<td>$43,790,000</td>
</tr>
<tr>
<td>Germany</td>
<td>Garmisch</td>
<td>$14,676,000</td>
</tr>
<tr>
<td></td>
<td>Grafenwoehr</td>
<td>$38,138,000</td>
</tr>
<tr>
<td>Japan</td>
<td>Spangdahlem Air Base</td>
<td>$39,571,000</td>
</tr>
<tr>
<td>Poland</td>
<td>Stuttgart-Patch Barracks</td>
<td>$49,415,000</td>
</tr>
<tr>
<td>Spain</td>
<td>Rota</td>
<td>$37,485,000</td>
</tr>
<tr>
<td></td>
<td>Kadena Air Base</td>
<td>$169,153,000</td>
</tr>
<tr>
<td></td>
<td>Redzikowo Base</td>
<td>$13,737,000</td>
</tr>
</tbody>
</table>

**SEC. 2402. AUTHORIZED ENERGY CONSERVATION PROJECTS.**

(a) Inside the United States.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for energy conservation projects inside the United States as specified in the funding table in section 4601, the Secretary of Defense may carry out energy conservation projects under chapter 173 of title 10, United States Code, for the installations or locations inside the United States, and in the amounts, set forth in the following table:
Energy Conservation Projects: Inside the United States

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>American Samoa</td>
<td>Wake Island</td>
<td>$5,331,000</td>
</tr>
<tr>
<td>California</td>
<td>Edwards Air Force Base</td>
<td>$4,000,000</td>
</tr>
<tr>
<td>Colorado</td>
<td>Fort Hunter Liggett</td>
<td>$22,000,000</td>
</tr>
<tr>
<td>District of Columbia</td>
<td>Schriever Air Force Base</td>
<td>$4,400,000</td>
</tr>
<tr>
<td>Guam</td>
<td>NSA Washington/NRL</td>
<td>$10,990,000</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Joint Base Pearl Harbor-Hickam</td>
<td>$13,780,000</td>
</tr>
<tr>
<td>Maryland</td>
<td>Marine Corps Recruiting Command</td>
<td>$5,740,000</td>
</tr>
<tr>
<td>Mississippi</td>
<td>Mountain Home Air Force Base</td>
<td>$6,471,000</td>
</tr>
<tr>
<td>Montana</td>
<td>Fort Hood</td>
<td>$4,290,000</td>
</tr>
<tr>
<td>Nevada</td>
<td>Naval Base Guan</td>
<td>$1,528,000</td>
</tr>
<tr>
<td>Washington</td>
<td>Joint Base Lewis-McChord</td>
<td>$14,770,000</td>
</tr>
<tr>
<td>Various locations</td>
<td>Various locations</td>
<td>$25,809,000</td>
</tr>
</tbody>
</table>

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for energy conservation projects outside the United States as specified in the funding table in section 4601, the Secretary of Defense may carry out energy conservation projects under chapter 173 of title 10, United States Code, for the installation or locations outside the United States, and in the amounts, set forth in the following table:

Energy Conservation Projects: Outside the United States

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bahamas</td>
<td>Ascension Aux Airfield St. Helena</td>
<td>$5,500,000</td>
</tr>
<tr>
<td>Japan</td>
<td>Yokosuka</td>
<td>$12,940,000</td>
</tr>
<tr>
<td>Various locations</td>
<td>Various locations</td>
<td>$3,600,000</td>
</tr>
</tbody>
</table>

SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DEFENSE AGENCIES.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2015, for military construction, land acquisition, and military family housing functions of the Department of Defense (other than the military departments), as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2803 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2401 of this Act may not exceed the sum of the following:

1. The total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.
2. $774,415,000 (the balance of the amount authorized under section 2401(a) of this Act for an operations facility at Fort Meade, Maryland).
3. $20,800,000 (the balance of the amount authorized under section 2401(b) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–239; 126 Stat. 2131), for a data center at Fort Meade, Maryland).
4. $50,500,000 (the balance of the amount authorized under section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1672), for an Ambulatory Care Center at Joint Base Andrews, Maryland).
5. $54,300,000 (the balance of the amount authorized under section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1672) for an Ambulatory Care Center at Joint Base San Antonio, Texas).
6. $441,134,000 (the balance of the amount authorized under section 2401(b) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1672) for a hospital at the Rhine Ordnance Barracks, Germany).
7. $41,441,000 (the balance of the amount authorized under section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1672) for a hospital at Fort Bliss, Texas).
8. $123,827,000 (the balance of the amount authorized as a Military construction, Defense-Wide project by title X of the Supplemental Appropriations Act, 2009 (Public Law 111–22; 123 Stat. 1888) for a data center at Camp Williams, Utah).

SEC. 2404. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2012 PROJECTS.

In the case of the authorization in the table in section 2403(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1672), as amended by section 2404(a) of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2131), for the Secretary of Defense to construct a generator plant capable of producing up to 60 megawatts of back-up electrical power in support of the 80 megawatt technical load, the Secretary of Defense may construct a generator plant capable of producing up to 60 megawatts of back-up electrical power in support of the 80 megawatt technical load.

SEC. 2405. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2012 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1660), the authorization set forth in the table in subsection (b), as provided in section 2401 of that Act (125 Stat. 1672) and as amended by section 2405 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 113–291; 128 Stat. 3685), shall remain in effect until October 1, 2016, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2017, whichever is later.
**SEC. 2407. MODIFICATION AND EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2014 PROJECT.**

In the case of the authorization contained in the table in section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113-66; 127 Stat. 995) for Fort Knox, Kentucky, for construction of an Ambulatory Care Center at that location, subsequently cancelled by the Department of Defense, substitute authorization is provided for a 102,000-square foot Medical Clinic Replacement at that location in the amount of $80,000,000, using appropriations available for the original project pursuant to the authorization of appropriations in section 2403 of such Act (127 Stat. 997). This substitute authorization shall remain in effect until October 1, 2018, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2019.

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### State/Country | Installation or Location | Project | Amount
---|---|---|---
California | Naval Base Coronado | SOF Mobile Communications Detachment Support Facility | $9,327,000
Colorado | Pikes Peak | High Altitude Medical Research Center | $3,600,000
Germany | Ramstein AB | Replace Vogelweh Elementary School | $61,415,000
Hawaii | Joint Base Pearl Harbor-Hickam | SOF SDVT-1 Waterfront Operations Facility | $22,384,000
Japan | CFAS Sasebo | Replace Sasebo Elementary School | $35,733,000
Pennsylvania | DEF Distribution Depot New Cumberland | Renovate Zama High School | $13,273,000
United Kingdom | RAF Feltwell | Replace reservoir | $4,300,000

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**TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM**

**SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

The Secretary of Defense may make contributions for the North Atlantic Treaty Organization Security Investment Program as provided in section 2806 of title 10, United States Code, in an amount not to exceed the sum of the amount authorized to be appropriated for this purpose in section 2502 and the amount collected from the North Atlantic Treaty Organization as a result of construction previously financed by the United States.

**SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.**

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2015, for contributions by the Secretary of Defense under section 2806 of title 10, United States Code, for the share of the United States of the cost of projects for the North Atlantic Treaty Organization Security Investment Program authorized by section 2501 as specified in the funding table in section 4601.

### Army National Guard

<table>
<thead>
<tr>
<th>State</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alabama</td>
<td>Camp Foley</td>
<td>$4,500,000</td>
</tr>
<tr>
<td>Connecticut</td>
<td>Camp Hartell</td>
<td>$11,000,000</td>
</tr>
<tr>
<td>Florida</td>
<td>Palm Coast</td>
<td>$18,000,000</td>
</tr>
<tr>
<td>Georgia</td>
<td>Fort Stewart</td>
<td>$6,800,000</td>
</tr>
<tr>
<td>Illinois</td>
<td>Sparta</td>
<td>$1,900,000</td>
</tr>
<tr>
<td>Kansas</td>
<td>Salina</td>
<td>$6,790,000</td>
</tr>
<tr>
<td>Maryland</td>
<td>Easton</td>
<td>$15,800,000</td>
</tr>
<tr>
<td>Mississippi</td>
<td>Gulfport</td>
<td>$40,000,000</td>
</tr>
<tr>
<td>Nevada</td>
<td>Reno</td>
<td>$8,000,000</td>
</tr>
<tr>
<td>Ohio</td>
<td>Camp Ravenna</td>
<td>$3,300,000</td>
</tr>
<tr>
<td>Oregon</td>
<td>Salem</td>
<td>$16,500,000</td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>Fort Indiantown Gap</td>
<td>$16,000,000</td>
</tr>
<tr>
<td>Vermont</td>
<td>North Hyde Park</td>
<td>$7,900,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Richmond</td>
<td>$29,000,000</td>
</tr>
</tbody>
</table>

---

**SEC. 2602. AUTHORIZED ARMY RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

(a) **INSIDE THE UNITED STATES.—** Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the Army Reserve locations inside the United States, and in the amounts, set forth in the following table:

### Army Reserve: Inside the United States

<table>
<thead>
<tr>
<th>State</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>California</td>
<td>Miramar</td>
<td>$34,800,000</td>
</tr>
<tr>
<td>Florida</td>
<td>MacDill Air Force Base</td>
<td>$55,000,000</td>
</tr>
<tr>
<td>New York</td>
<td>Orangeburg</td>
<td>$1,200,000</td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>Conneaut Lake</td>
<td>$5,000,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>A.P. Hill</td>
<td>$24,000,000</td>
</tr>
</tbody>
</table>

(b) **OUTSIDE THE UNITED STATES.—** Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out a military construction project for the Army Reserve location outside the United States, and in the amount, set forth in the following table:
SEC. 2603. AUTHORIZED NAVY RESERVE AND MARINE CORPS RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the Navy Reserve and Marine Corps Reserve locations inside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>State</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nevada</td>
<td>Fallon</td>
<td>$11,406,000</td>
</tr>
<tr>
<td>New York</td>
<td>Brooklyn</td>
<td>$2,479,000</td>
</tr>
<tr>
<td>Virginia</td>
<td></td>
<td>$18,445,000</td>
</tr>
</tbody>
</table>

SEC. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the Air National Guard locations inside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>Air National Guard</th>
</tr>
</thead>
<tbody>
<tr>
<td>State</td>
</tr>
<tr>
<td>-------</td>
</tr>
<tr>
<td>Alabama</td>
</tr>
<tr>
<td>California</td>
</tr>
<tr>
<td>Colorado</td>
</tr>
<tr>
<td>Connecticut</td>
</tr>
<tr>
<td>Florida</td>
</tr>
<tr>
<td>Georgia</td>
</tr>
<tr>
<td>Hawaii</td>
</tr>
<tr>
<td>Iowa</td>
</tr>
<tr>
<td>Kansas</td>
</tr>
<tr>
<td>Louisiana</td>
</tr>
<tr>
<td>Maine</td>
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<tr>
<td>New Hampshire</td>
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<td>New Jersey</td>
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<td>New York</td>
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<tr>
<td>North Carolina</td>
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<tr>
<td>North Dakota</td>
</tr>
<tr>
<td>Oklahoma</td>
</tr>
<tr>
<td>Oregon</td>
</tr>
<tr>
<td>West Virginia</td>
</tr>
</tbody>
</table>

SEC. 2605. AUTHORIZED AIR FORCE RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the Air Force Reserve locations inside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>Air Force Reserve</th>
</tr>
</thead>
<tbody>
<tr>
<td>State</td>
</tr>
<tr>
<td>-------</td>
</tr>
<tr>
<td>California</td>
</tr>
<tr>
<td>Florida</td>
</tr>
<tr>
<td>Georgia</td>
</tr>
<tr>
<td>Ohio</td>
</tr>
<tr>
<td>Texas</td>
</tr>
</tbody>
</table>

SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, NATIONAL GUARD AND RESERVE.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2015, for the costs of acquisition, architectural and engineering services, and construction of facilities for the Guard and Reserve Forces, and for contributions therefor, under chapter 1803 of title 10, United States Code (including the cost of acquisition of land for those facilities), as specified in the funding table in section 4601.

Subtitle B—Others Matters

SEC. 2611. MODIFICATION AND EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2013 PROJECTS.

(a) MODIFICATION.—In the case of the authorization contained in the table in section 2602 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2135) for Aberdeen Proving Ground, Maryland, for construction of an Army Reserve Center at that location, the Secretary of the Army may construct a new facility in the vicinity of Aberdeen Proving Ground, Maryland.

(b) DURATION OF AUTHORITY.—Notwithstanding section 2602 of the Military Construction Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2135), the authorization set forth in subsection (a) shall remain in effect until October 1, 2016, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2017, whichever is later.

SEC. 2612. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2015 PROJECTS.

(a) DAVIS-MONTANAN AFB.—In the case of the authorization contained in the table in section 2605 of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113–291; 128 Stat. 3689) for Davis-Monthan Air Force Base, Arizona, for
construction of a Guardian Angel Operations facility at that location, the Secretary of the Air Force may construct a new 5,913 square meter (63,647 square foot) facility in the amount of $15,200,000.

(b) Fort Smith.—In the case of the authorization contained in the table in section 2604 of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113-291; 128 Stat. 3690) for Fort Smith Municipal Airport, Arkansas, for construction of a consolidated Secure Compartmented Information Facility at that location, the Secretary of the Air Force may construct a new facility in the amount of $15,200,000.

SEC. 2613. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2012 PROJECTS.

(a) Extension.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112-81; 125 Stat. 2319), the authorizations set forth in the table in subsection (b), as provided in section 2906 of that Act (126 Stat. 2319), shall remain in effect until October 1, 2016, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2017, whichever is later.

(b) Table.—The table referred to in subsection (a) is as follows:

<table>
<thead>
<tr>
<th>State</th>
<th>Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arizona</td>
<td>Yuma</td>
<td>Reserve Training Facility—Yuma</td>
<td>$3,379,000</td>
</tr>
<tr>
<td>California</td>
<td>Tustin</td>
<td>Army Reserve Center</td>
<td>$27,000,000</td>
</tr>
<tr>
<td>Iowa</td>
<td>Fort Des Moines</td>
<td>Joint Reserve Center—Des Moines</td>
<td>$19,162,000</td>
</tr>
<tr>
<td>Louisiana</td>
<td>New Orleans</td>
<td>Transient Journeys</td>
<td>$7,187,000</td>
</tr>
<tr>
<td>New York</td>
<td>Camp Smith (Stormville)</td>
<td>Combined Support Maintenance Shop</td>
<td>$24,000,000</td>
</tr>
<tr>
<td>Kansas</td>
<td>Kansas City</td>
<td>Army Reserve Center</td>
<td>$13,000,000</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>Attleboro</td>
<td>Army Reserve Center</td>
<td>$22,000,000</td>
</tr>
</tbody>
</table>

SEC. 2614. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2013 PROJECTS.

(a) Extension.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112-239; 126 Stat. 2118), the authorizations set forth in the table in subsection (b), as provided in sections 2601, 2602, and 2603 of that Act (126 Stat. 2134, 2135) shall remain in effect until October 1, 2016, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2017, whichever is later.

(b) Table.—The table referred to in subsection (a) is as follows:

<table>
<thead>
<tr>
<th>State</th>
<th>Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arizona</td>
<td>Yuma</td>
<td>Reserve Training Facility—Yuma</td>
<td>$3,379,000</td>
</tr>
<tr>
<td>California</td>
<td>Tustin</td>
<td>Army Reserve Center</td>
<td>$27,000,000</td>
</tr>
<tr>
<td>Iowa</td>
<td>Fort Des Moines</td>
<td>Joint Reserve Center—Des Moines</td>
<td>$19,162,000</td>
</tr>
<tr>
<td>Louisiana</td>
<td>New Orleans</td>
<td>Transient Journeys</td>
<td>$7,187,000</td>
</tr>
<tr>
<td>New York</td>
<td>Camp Smith (Stormville)</td>
<td>Combined Support Maintenance Shop</td>
<td>$24,000,000</td>
</tr>
<tr>
<td>Kansas</td>
<td>Kansas City</td>
<td>Army Reserve Center</td>
<td>$13,000,000</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>Attleboro</td>
<td>Army Reserve Center</td>
<td>$22,000,000</td>
</tr>
</tbody>
</table>

TITLE XXVII—BASE REALIGNMENT AND CLOSURE ACTIVITIES

SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR BASE REALIGNMENT AND CLOSURE ACTIVITIES FUNDED THROUGH DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2015, for base realignment and closure activities, including real property acquisition and military construction projects, as authorized by the Defense Base Closure and Realignment Act of 1990 (part A of title XXVII of Public Law 101-510; 10 U.S.C. 2697 note) and funded through the Department of Defense Base Closure Account established by section 2606 of such Act (as amended by section 2701 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112-239; 126 Stat. 2140)), as specified in the funding table in section 6901.

SEC. 2702. PROHIBITION ON CONDUCTING ADDITIONAL BASE REALIGNMENT AND CLOSURE (BRAC) ROUND.

Nothing in the Act shall be construed to authorize an additional round of defense base closure and realignment.

TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

Subtitle A—Military Construction Program and Military Family Housing Changes

SEC. 2801. AUTHORITY FOR ACCEPTANCE AND USE OF CONTRIBUTIONS FOR CERTAIN MUTUALLY BENEFICIAL PROJECTS.

(a) Authority.—Subchapter II of chapter 138 of title 10, United States Code, is amended by adding at the end the following new section:

“2350h. Construction, maintenance, and repair projects mutually beneficial to the Department of Defense and armed forces of a partner nation.

“(a) Authority to accept contributions.—The Secretary of Defense, after consultation with the Secretary of State, may accept cash contributions from any partner nation for the purposes specified in subsection (c).

“(b) Accounting.—Contributions accepted under subsection (a) shall be placed in an account established by the Secretary of Defense and shall remain available until expended for the purposes specified in subsection (c).

“(c) Availability of contributions.—Contributions accepted under subsection (a) shall be available only for payment of costs in connection with mutually beneficial construction (including military construction not otherwise authorized by law), maintenance, and repair projects.

“(d) Prohibition on use of contributions to offset burden sharing contributions required of partner nations.—Contributions accepted under section 2350h may not be used to offset burden sharing contributions that are otherwise required to be provided by partner nations.

“(e) Mutually beneficial defined.—A project shall be considered to be ‘mutually beneficial’ for purposes of this section if—""'(1) the project is in support of a bilateral defense cooperation agreement between the United States and a partner nation; or

""'(2) the Secretary determines that the United States may derive a benefit from the project, including—

""'(A) access to and use of facilities of the armed forces of a partner nation;

""'(B) ability or capacity for future force posture; and

""'(C) increased interoperability between the Department of Defense and the armed forces of a partner nation.

""'(b) Clerical amendment.—The table of sections at the beginning of this subchapter is amended by adding at the end the following new section:

‘‘2350m. Construction, maintenance, and repair projects mutually beneficial to the Department of Defense and armed forces of a partner nation.”

(b) Change in authorities relating to scope of work variations for military construction projects.

(a) Limited authority for scope of work increase.—Section 2853 of title 10, United States Code, is amended—

(1) in subsection (b)(2), by striking “The scope of work” and inserting “Except as provided in subsection (d), the scope of work”;

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

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

“(d) The limitation in subsection (b)(2) on an increase in the scope of work does not apply if—

“(1) the increase in the scope of work is not more than 10 percent of the amount specified for that project, construction, improvement, or acquisition in the justification data provided to Congress as part of the request for authorization of the project, construction, improvement, or acquisition;

“(2) the increase is approved by the Secretary concerned;

“(3) the Secretary concerned notifies the congressional defense committees in writing of the increase in scope and the reasons therefor; and

“(4) a period of 21 days has elapsed after the date on which the notification is received by the committees or, if over sooner, a period of 14 days has elapsed after the date on which a copy of the notification is provided in an electronic medium pursuant to section 480 of this title.”;

(b) Cross-reference amendments.—

(1) Subsection (a) of such section is amended by striking “subsection (c) or (d)” and inserting “subsection (c), (d), or (e)”.

(2) Subsection (f) of such section, as redesignated by subsection (a)(2), is amended by striking “through (d)” and inserting “through (e)”.

(c) Additional technical amendment.—

Subsection (a) of such section is further amended by inserting “of this title” after “section 2905(a)”.

SEC. 2806. CHANGE IN AUTHORITY RELATING TO SCOPE OF WORK VARIATIONS FOR MILITARY CONSTRUCTION PROJECTS.

(a) Limited authority for scope of work increase.—Section 2853 of title 10, United States Code, is amended—

(1) in subsection (b)(2), by striking “The scope of work” and inserting “Except as provided in subsection (d), the scope of work”;

(2) by redesigning subsections (d) and (e) as subsections (e) and (f), respectively; and

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

“(d) The limitation in subsection (b)(2) on an increase in the scope of work does not apply if—

“(1) the increase in the scope of work is not more than 10 percent of the amount specified for that project, construction, improvement, or acquisition in the justification data provided to Congress as part of the request for authorization of the project, construction, improvement, or acquisition;

“(2) the increase is approved by the Secretary concerned;

“(3) the Secretary concerned notifies the congressional defense committees in writing of the increase in scope and the reasons therefor; and

“(4) a period of 21 days has elapsed after the date on which the notification is received by the committees or, if over sooner, a period of 14 days has elapsed after the date on which a copy of the notification is provided in an electronic medium pursuant to section 480 of this title.”;

(b) Cross-reference amendments.—

(1) Subsection (a) of such section is amended by striking “subsection (c) or (d)” and inserting “subsection (c), (d), or (e)”.

(2) Subsection (f) of such section, as redesignated by subsection (a)(2), is amended by striking “through (d)” and inserting “through (e)”.

(3) Additional technical amendment.—

Subsection (a) of such section is further amended by inserting “of this title” after “section 2905(a)”.

SEC. 2807. MANDATORY DRAFTING GUIDELINES."
SEC. 2803. EXTENSION OF TEMPORARY, LIMITED AUTHORITY TO USE OPERATION AND MAINTENANCE FUNDS FOR CONSTRUCTION PROJECTS OUTSIDE THE UNITED STATES.


(1) in paragraph (1), by striking “December 31, 2015” and inserting “December 31, 2016”; and

(2) in paragraph (2), by striking “fiscal year 2016” and inserting “fiscal year 2017”.

(b) Limitation on Use of Authority.—Subsection (c) of such section is amended—

(1) by striking “October 1, 2014” and inserting “October 1, 2015”;

(2) by striking “December 31, 2015” and inserting “December 31, 2016”; and

(3) by striking “fiscal year 2016” and inserting “fiscal year 2017”.

(c) Elimination of Reporting Requirement.—Such section is further amended by striking subsection (d).

SEC. 2804. MODIFICATION OF REPORTING REQUIREMENT ON IN-KIND CONSTRUCTION AND RENOVATION PAYMENTS.

(a) Report Required.—

(1) in General.—Not later than December 31, 2016, and annually thereafter, the Secretary shall provide the congressional defense committees a report on in-kind construction and renovation payments received during the preceding fiscal year.

(2) Elements.—Each report required under paragraph (1) shall include the following elements:

(A) A listing of each facility constructed or renovated for the Department of Defense as payment in-kind.

(B) An estimate of the value of the United States dollars of that construction or renovation.

(C) A description of the source of the in-kind payment.

(D) A description of the agreement pursuant to which the in-kind payment was made.

(E) A description of the purpose and need for the construction or renovation.

(b) Repeal of Existing Reporting Requirements.—Repeal of section 2688(j) of title 10, United States Code, is amended—

(1) in the subsection heading, by striking “Bioplex” and related activities pursuant to section 2827 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 2358 note) and inserting “Bioplex” and related activities pursuant to section 2827 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 2358 note) of more than one military department or Defense Agency or a technology development program; and

(2) by redesignating subsection (d) as subsection (e).

SEC. 2805. LAB MODERNIZATION PILOT PROGRAM.

(a) Authority To Use Research, Development, Test, and Evaluation Funds.—The Secretary of Defense may fund military construction projects at the Department of Defense science and technology reinvention laboratories (as designated by section 1105(a) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 2358 note)), using amounts appropriated pursuant to subtitle B of title 10, United States Code, under the authority of title 10, United States Code, as provided in section 212.

(b) Conditions.—Amounts made available pursuant to subsection (a) may be used for the purpose of funding major military construction projects that meet the following conditions:

(1) Projects are subject to the requirements of section 2802 of title 10, United States Code.

(2) Funds are included in the budget submitted to Congress pursuant to section 1105 of title 31, United States Code.

(3) Funds are specifically appropriated for the purpose of funding the construction project.

(c) Certification.—The Secretary shall certify, as part of the budget submitted to Congress pursuant to section 1105 of title 31, United States Code, that military construction projects proposed pursuant to subsection (a) will support the research and development activities at Department of Defense science and technology reinvention laboratories (as designated by section 1105(a) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 2358 note)) of more than one military department or Defense Agency or a technology development program, in accordance with the field of offset technologies as described in section 212.

(2) have been endorsed for funding by more than one military department or Defense Agency;

(3) will establish facilities that will have significant potential for use by entities outside the Department of Defense, including universities, industrial partners, and other Federal agencies; and

(4) cannot be fully funded under the thresholds specified by section 2806 of title 10, United States Code.

(d) Funds.—Amounts used for the pilot program established under this section may not exceed $100,000,000 for any fiscal year.

SEC. 2806. CONVEYANCE TO INDIAN TRIBES OF CERTAIN HOUSING UNITS.

(a) Definitions.—In this section:

(1) Executive Director.—The term “Executive Director” means the Executive Director of the Bioplex, Inc.

(2) INDIAN TRIBE.—The term “Indian tribe” means any Indian tribe included on the list published by the Secretary of the Interior under section 104 of the Indian Tribes Act of 1934 (25 U.S.C. 465).

(b) Requests for Conveyance.—

(1) in General.—The Executive Director may submit to the Secretary of the military department concerned, on behalf of any Indian tribe, a request for conveyance of any relocatable military housing unit described in section 212 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 2358a–1).

(2) Requests for Conveyance.—

(1) in General.—The Executive Director may submit to the Secretary of the military department concerned, on behalf of any Indian tribe, a request for conveyance of any relocatable military housing unit described in section 212 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 2358a–1).

(2) Requests for Conveyance.—

(1) in General.—The Executive Director may submit to the Secretary of the military department concerned, on behalf of any Indian tribe, a request for conveyance of any relocatable military housing unit described in section 212 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 2358a–1).

(2) Requests for Conveyance.—

(1) in General.—The Executive Director may submit to the Secretary of the military department concerned, on behalf of any Indian tribe, a request for conveyance of any relocatable military housing unit described in section 212 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 2358a–1).

(b) Reauthorization of Conveyance Authority.—The authority under section 2827 of title 10, United States Code, is amended by striking “$750,000” and inserting “the amount specified in section 2826 of title 10, United States Code.”

SEC. 2811. REAL PROPERTY AND FACILITIES ADMINISTRATION.

(a) Release of Conditions and Retained Interests.—With respect to a parcel of real property in Jefferson County, Arkansas, consisting of approximately 1,477 acres and conveyed by deed to the Economic Development Alliance of Jefferson County, Arkansas (in this section referred to as the “Economic Development Alliance”), the United States for use as the facility known as the “Bioplex” and related activities pursuant to section 2827 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201), the Secretary of the Army may release subject to the conditions of subsections (b) and (d) below, the conditions of conveyance of subsection (c) of such section is amended by striking “$750,000” and inserting the amount specified in section 2811(b) of such title.

(b) Reauthorization of Conveyance Authority.—The authority under section 2827 of title 10, United States Code, is amended by striking “$750,000” and inserting the amount specified in section 2811(b) of such title.

Subtitle C—Land Conveyances

SEC. 2821. RELEASE OF REVERSIONARY INTEREST RETAINED AS PART OF CONVEYANCE TO THE ECONOMIC DEVELOPMENT ALLIANCE OF JEFFERSON COUNTY, ARKANSAS.

(a) Release of Conditions and Retained Interests.—With respect to a parcel of real property in Jefferson County, Arkansas, consisting of approximately 1,477 acres and conveyed by deed to the Economic Development Alliance of Jefferson County, Arkansas (in this section referred to as the “Economic Development Alliance”) by the United States for use as the facility known as the “Bioplex” and related activities pursuant to section 2827 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201), the Secretary of the Army may release subject to the conditions of subsections (b) and (d) below, the conditions of conveyance of subsection (c) of such section is amended by striking “$750,000” and inserting the amount specified in section 2827 of such title for the Economic Development Alliance.

(b) Reauthorization of Conveyance Authority.—The authority under section 2827 of title 10, United States Code, is amended by striking “$750,000” and inserting the amount specified in section 2827 of such title.
the release authorized by subsection (a) of this section shall be subject to the condition that, if the Economic Development Alliance recovers all or any part of the conveyed property, within a 25-year period referred to in subsection (c)(2) of such section, the Economic Development Alliance shall pay to the United States, upon reconveyance, an amount equal to the fair market value of the reacquired property as of the time of the reconveyance, excluding the value of any improvements made to the property by the Economic Development Alliance.

(2) DETERMINATION OF FAIR MARKET VALUE.—The Secretary of the Army shall determine fair market value in accordance with Federal appraisal standards and procedures.

(3) TREATMENT OF LEASES.—The Secretary of the Army may treat a lease of the property within such 25-year period as a conveyance if the Secretary determines that the lease is being used to avoid application of paragraph (1).

(4) DEPOSIT OF PROCEEDS.—The Secretary of the Army shall deposit any proceeds received under this subsection in the special account established pursuant to section 572(b) of title 40, United States Code.

(c) INSTRUMENT OF RELEASE.—The Secretary of the Army may execute and file in the appropriate records, a deed conveying, amended deed, or other appropriate instrument reflecting the release of conditions and retained interests under subsection (a).

(d) DEPARTMENT OF ENERGY.—

(1) PAYMENT REQUIRED.—The Secretary of the Army shall require the Economic Development Alliance to cover costs to be incurred by the Secretary for costs incurred by the Secretary, to carry out the release under subsection (a), including costs related to environmental documentation, and other administrative costs related to the release. Any amounts paid to the Secretary in advance of the costs actually incurred by the Secretary to carry out the release, the Secretary shall refund the excess amount to the Economic Development Alliance.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received under paragraph (1) as reimbursement for costs incurred by the Secretary to carry out the release under subsection (a) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the release. Amounts so credited shall be merged into the account that was used to cover the costs incurred by the Secretary and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Army may require such additional terms and conditions in connection with the release, conveyance, and retained interests under subsection (a) as the Secretary considers appropriate to protect the United States from uses of the property that would interfere with any of the property that would interfere with activities at Pine Bluff Arsenal.

DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY AUTHORIZATIONS AND OTHER AUTHORIZATIONS

TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Subtitle A—National Security Programs

SEC. 3101. NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2016 for the activities of the National Nuclear Security Administration in carrying out programs as specified in the funding table in section 4701.

(b) AUTHORIZATION OF NEW PLANT PROJECT AND FUNDS RECEIVED.—In subsection (a) that are available for carrying out plant projects, the Secretary of Energy may carry out the following new plant projects authorized by the National Nuclear Security Administration:

Project 16-D-621, Substation Replacement at Technical Area 3, Los Alamos National Laboratory, Los Alamos, New Mexico, $25,000,000.

SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2016 for defense environmental cleanup activities in carrying out programs as specified in the funding table in section 4701.

SEC. 3103. OTHER DEFENSE ACTIVITIES.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2016 for other defense activities in carrying out programs as specified in the funding table in section 4701.

Subtitle B—Program Authorizations, Restrictions, and Limitations

SEC. 3111. RESPONSIBILITY PROGRAMS CAPABILITY.

(1) IN GENERAL.—The Administrator shall establish and carry out a program to exercise the technical capabilities of the Administration with respect to design and production of nuclear weapons to ensure that the Administration is ready to respond to future uncertainties not addressed by existing life extension programs and the cost for each type of enrichment being considered.

(2) A description of changes in policy that would mitigate any shortfall in obtaining unencumbered uranium to meet national security requirements and the implications of those changes.

(3) A form of PLAN.—The plan required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(b) TERMS OF DEFINITIONS.—In this section:

(1) The term ‘depleted’, with respect to uranium, means that the uranium is depleted in uranium-235 compared with natural uranium.

(2) The term ‘unencumbered’, with respect to uranium, means that the United States has no obligation to foreign governments to use the uranium for only peaceful purposes.

(c) CERAMICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act, as amended by section 3111, is further amended by inserting after the item relating to section 4220 the following new item:

‘‘Sec. 4221. Long-term plan for meeting national security requirements for unencumbered uranium through 2065.''

SEC. 3112. DEFENSE NUCLEAR NONPROLIFERATION MANAGEMENT PLAN.

(a) IN GENERAL.—Title XXIII of the Atomic Energy Defense Act (50 U.S.C. 2521 et seq.), as amended by section 3111, is further amended by adding at the end the following new section:

‘‘Sec. 4221. Long-term plan for meeting national security requirements for unencumbered uranium through 2065.''

(b) PLAN REQUIREMENTS.—The plan required by subsection (a) shall include the following:

(1) An inventory of unencumbered uranium (other than depleted uranium), by program source and enrichment level; that, as of the date of the plan, allocated to national security requirements.

(2) An inventory of unencumbered uranium (other than depleted uranium), by program source and enrichment level, as of the date of the plan, is allocated to national security requirements but could be allocated to such requirements.

(3) An identification of national security requirements for unencumbered uranium, by program source and enrichment level.

(4) A description of any shortfall in obtaining unencumbered uranium to meet national security requirements and an assessment of whether that shortfall could be mitigated through the blending down of uranium that is of a higher enrichment level as of the date of the plan, is not allocated to national security requirements but could be allocated to such requirements.

(5) An inventory of unencumbered depleted uranium, an assessment of the portion of that uranium that could be allocated to national security requirements for re-enrichment and an estimate of the costs of re-enriching that uranium.

(6) A description of the swap and barter agreements involving unencumbered uranium needed to meet national security requirements that are in effect on the date of the plan.

(7) An assessment of whether additional enrichment of uranium will be required to meet national security requirements and an estimate of the time for production operations and the cost for each type of enrichment being considered.

(8) A description of changes in policy that would mitigate any shortfall in obtaining unencumbered uranium to meet national security requirements and the implications of those changes.

(c) FORM OF PLAN.—The plan required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(d) CERAMICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act, as amended by section 3111, is further amended by inserting after the item relating to section 4221 the following new item:

‘‘Sec. 4221. Long-term plan for meeting national security requirements for unencumbered uranium through 2065.''

SEC. 3113. DEFENSE NUCLEAR NONPROLIFERATION MANAGEMEN

(a) IN GENERAL.—Title XXIII of the Atomic Energy Defense Act (50 U.S.C. 2521 et seq.), as amended by adding at the end the following new section:

‘‘Sec. 4309. DEFENSE NUCLEAR NONPROLIFERATION MANAGEMENT PLAN.''

(b) IN GENERAL.—Concurrent with the submission to Congress of the budget of the President under section 1105(a) of title 31, United States Code, for the fiscal year beginning in 2017, the Administrator shall submit to the congressional defense

United States Code, in each even-numbered year beginning in 2016, the Secretary of Energy shall submit to the congressional defense committees a plan for meeting national security requirements for unencumbered uranium through 2065.
committees a five-year management plan for activities associated with the defense nuclear nonproliferation programs of the Administration.

(c) CONFORMING REPEALS.—(1) The National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 126 Stat. 2197) is amended—

(2) Section 3145 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2197) is repealed.

SEC. 3114. PLAN FOR DEACTIVATION AND DEMISESSION OF NONOPERATIONAL DEFENSE NUCLEAR FACILITIES.

(a) IN GENERAL.—Subtitle B of title XLIV of the Atomic Energy Defense Act (50 U.S.C. 2692 et seq.) is amended by adding at the end the following new section:

(2) The term ‘nonoperational defense nuclear facility’ means a production facility or clear facility during the preceding fiscal year pursued to the contract described in subsection (b).

(b) C LERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act is amended by inserting after the item relating to the Secretary in carrying out the oversight responsibilities of the Secretary with respect to the contract described in subsection (b).

SEC. 4423. PLAN FOR DEACTIVATION AND DEMISESSION OF NONOPERATIONAL DEFENSE NUCLEAR FACILITIES.

(a) IN GENERAL.—During each even-numbered year beginning in 2016, the Secretary of Energy shall develop a plan to provide for the deactivation and decommissioning of nonoperational defense nuclear facilities. The plan required by subsection (a) shall include the following:

(i) crisis operations;

(ii) consequences management; and

(iii) emergency management, including international capacity building.

(3) In the case of a report submitted after March 31, each even-numbered year beginning in 2016, the Secretary shall submit to the congressional defense committees a report that includes:

(1) a description of the deactivation and decommissioning actions taken at each nonoperational defense nuclear facility during the preceding fiscal year pursuant to the plan; and

(b) C LERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act is amended by inserting the following new item:

(2) The term ‘clear nuclear facility’ means a production facility or clear facility for deactivation and decommissioning of the facility.

(7) Such other matters as the Administrator considers appropriate.

(c) SUBMISSION TO CONGRESS.—Not later than one year after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016, the Secretary shall submit to the congressional defense committees a report that includes:

(i) crisis operations;

(ii) consequences management; and

(iii) emergency management, including international capacity building.

(7) Such other matters as the Administrator considers appropriate.

(c) SUBMISSION TO CONGRESS.—Not later than one year after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016, the Secretary shall submit to the congressional defense committees a report that includes:

(i) crisis operations;

(ii) consequences management; and

(iii) emergency management, including international capacity building.

(7) Such other matters as the Administrator considers appropriate.

(c) SUBMISSION TO CONGRESS.—Not later than one year after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016, the Secretary shall submit to the congressional defense committees a report that includes:

(i) crisis operations;

(ii) consequences management; and

(iii) emergency management, including international capacity building.

(7) Such other matters as the Administrator considers appropriate.

(c) SUBMISSION TO CONGRESS.—Not later than one year after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016, the Secretary shall submit to the congressional defense committees a report that includes:

(i) crisis operations;

(ii) consequences management; and

(iii) emergency management, including international capacity building.

(7) Such other matters as the Administrator considers appropriate.

(c) SUBMISSION TO CONGRESS.—Not later than one year after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016, the Secretary shall submit to the congressional defense committees a report that includes:

(i) crisis operations;

(ii) consequences management; and

(iii) emergency management, including international capacity building.

(7) Such other matters as the Administrator considers appropriate.

(c) SUBMISSION TO CONGRESS.—Not later than one year after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016, the Secretary shall submit to the congressional defense committees a report that includes:

(i) crisis operations;

(ii) consequences management; and

(iii) emergency management, including international capacity building.

(7) Such other matters as the Administrator considers appropriate.

(c) SUBMISSION TO CONGRESS.—Not later than one year after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016, the Secretary shall submit to the congressional defense committees a report that includes:

(i) crisis operations;

(ii) consequences management; and

(iii) emergency management, including international capacity building.

(7) Such other matters as the Administrator considers appropriate.

(c) SUBMISSION TO CONGRESS.—Not later than one year after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016, the Secretary shall submit to the congressional defense committees a report that includes:

(i) crisis operations;

(ii) consequences management; and

(iii) emergency management, including international capacity building.

(7) Such other matters as the Administrator considers appropriate.

(c) SUBMISSION TO CONGRESS.—Not later than one year after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016, the Secretary shall submit to the congressional defense committees a report that includes:

(i) crisis operations;

(ii) consequences management; and

(iii) emergency management, including international capacity building.

(7) Such other matters as the Administrator considers appropriate.

(c) SUBMISSION TO CONGRESS.—Not later than one year after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016, the Secretary shall submit to the congressional defense committees a report that includes:

(i) crisis operations;

(ii) consequences management; and

(iii) emergency management, including international capacity building.

(7) Such other matters as the Administrator considers appropriate.

(c) SUBMISSION TO CONGRESS.—Not later than one year after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016, the Secretary shall submit to the congressional defense committees a report that includes:

(i) crisis operations;

(ii) consequences management; and

(iii) emergency management, including international capacity building.

(7) Such other matters as the Administrator considers appropriate.

(c) SUBMISSION TO CONGRESS.—Not later than one year after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016, the Secretary shall submit to the congressional defense committees a report that includes:

(i) crisis operations;

(ii) consequences management; and

(iii) emergency management, including international capacity building.

(7) Such other matters as the Administrator considers appropriate.

(c) SUBMISSION TO CONGRESS.—Not later than one year after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016, the Secretary shall submit to the congressional defense committees a report that includes:

(i) crisis operations;

(ii) consequences management; and

(iii) emergency management, including international capacity building.

(7) Such other matters as the Administrator considers appropriate.
the contractor with respect to whether an unreviewed safety question exists and the plan for resolution of the disagreement.

(C) An identification of each aspect of the contractor's documented safety analysis that is not current, the plan for making that aspect current, and the status of the corrective efforts.

(D) Information on the status of, and the plan for resolving, each unreviewed technical issue at each facility covered by the contract, and the status of corrective efforts.

(2) In this section:

(1) The term 'contractor' means Bechtel National, Inc.

(2) The term 'current', with respect to a documented safety analysis, means that the documented safety analysis includes any design changes approved by the contractor and any safety evaluation reports issued by the Secretary with respect to the facility covered by the analysis before the date that is 60 days before the date of the analysis.

(3) The terms 'documented safety analysis', 'safety evaluation report', and 'unreviewed safety question' have the meanings given those terms in section 339.3 of title 10, Code of Federal Regulations (or any corresponding rule or regulation).

(4) The term 'owner's agent' means a private third-party entity with nuclear safety management expertise and without any contractual relationship with the contractor or conflict of interest.''

(b) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act is amended by inserting after the item relating to section 4445 the following new item:

"Sec. 4446. Hanford Waste Treatment and Immobilization Plant contract oversights.''

SEC. 3116. ASSESSMENT OF EMERGENCY PREPAREDNESS OF DEFENSE NUCLEAR FACILITIES.

(a) In General.—Subtitle A of title XLVIII of the Atomic Energy Defense Act (50 U.S.C. 2781 et seq.) is amended by inserting after section 4802 the following new section:

"Sec. 4802A. Assessments of emergency preparedness of defense nuclear facilities.

(a) In General.—The Secretary of Energy shall conduct, in each award evaluation conducted under section 16.401 of title 48, Code of Federal Regulations, of a management and operating contract for a Department of Energy defense nuclear facility beginning on January 1, 2016 or any even-numbered year thereafter, an assessment of the adequacy of the emergency preparedness of that facility, including an assessment of the seniority level of employees and contractors of the Department of Energy that participate in emergency preparedness exercises at that facility.

(b) Report Required.—Not later than 60 days after conducting an assessment under subsection (a), the Secretary shall submit to the congressional defense committees a report on the assessment.

(b) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act is amended by inserting after the item relating to section 4802 the following new item:

"Sec. 4802A. Assessments of emergency preparedness of defense nuclear facilities.''

SEC. 3117. LABORATORY- AND FACILITY-DIRECTED RESEARCH AND DEVELOPMENT PROGRAMS.

(a) FUNDING FOR LABORATORY-DIRECTED RESEARCH AND DEVELOPMENT.—Section 4811(c) of the Atomic Energy Defense Act (50 U.S.C. 2791(c)) is amended by striking ‘‘not to exceed 6 percent’’ and inserting ‘‘not less than 8 percent’’.

(b) FACILITY-DIRECTED RESEARCH AND DEVELOPMENT.—

"(1) In general.—Subtitle B of title XLVIII of such Act (50 U.S.C. 2791 et seq.) is amended by inserting after section 4811 the following new section:

"Sec. 4811A. FACILITY-DIRECTED RESEARCH AND DEVELOPMENT.

(a) AUTHORITY.—A covered facility that is funded out of funds available to the Department of Energy for nuclear security or defense nuclear security programs may carry out facility-directed research and development.

(b) REGULATIONS.—The Secretary of Energy shall prescribe regulations for the conduct of facility-directed research and development under subsection (a).

(c) FUNDING.—Funds provided by the Department of Energy to covered facilities, the Secretary shall provide a specific amount, not to exceed 4 percent of such funds, to be used by such facilities for facility-directed research and development.

(d) DEFINITIONS.—In this section:

(1) COVERED FACILITY.—The term ‘covered facility’ means a nuclear weapons production facility or the Nevada Site Office of the Department of Energy.

(2) FACILITY-DIRECTED RESEARCH AND DEVELOPMENT.—Term means research and development work of a creative and innovative nature that, under the regulations prescribed pursuant to subsection (b), is selected by the director or manager of a covered facility for the purpose of maintaining the vitality of the facility in defense-related scientific disciplines.

(3) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act is amended by inserting after the item relating to section 4803 the following new item:

"Sec. 4811A. Facility-directed research and development.''

SEC. 3118. LIMITATION ON BONUSES FOR EMPLOYEES WHO ENGAGE IN IMPROPER PROGRAM MANAGEMENT.

(a) IN GENERAL.—Subtitle C of the National Nuclear Security Administration who engage in improper program management shall be subject to one or more of the following:

(1) a clear and complete description of the misconduct;

(2) a description of the associated costs savings, including costs savings that are attributable to the misconduct;'';

(b) REGULATIONS.—The Secretary of Energy shall prescribe regulations for the conduct of improper program management under subsection (a).

(c) DEFINITIONS.—In this section:

(1) COVERED FACILITY.—The term ‘covered facility’ means a nuclear weapons production facility or the Nevada Site Office of the Department of Energy.

The term ‘improper program management’ means actions relating to the management of a covered project that significantly—

(1) delay the project;

(2) increase the cost of the project;'';

(d) CLERICAL AMENDMENT.—The table of contents for such Act is amended by inserting after the item relating to section 3244 the following new item:

"Sec. 3245. Limitation on bonuses for employees who engage in improper program management.''

SEC. 3119. MODIFICATION OF AUTHORIZED PERSONNEL LEVELS OF THE OFFICE OF THE ADMINISTRATOR FOR NUCLEAR SECURITY.

Section 2344(a)(3) of the National Nuclear Security Administration Act (50 U.S.C. 2443a(b)(3)) is amended by adding at the end the following new paragraph:

"(E) 100 employees in positions established under section 3211.''

SEC. 3120. MODIFICATION OF SUBMISSION OF ASSESSMENTS OF CERTAIN BUDGET REQUESTS FOR IMPROPER PROGRAM MANAGEMENT OF THE NUCLEAR WEAPONS STOCKPILE.

Section 2355a(a)(2) of the National Nuclear Security Administration Act (50 U.S.C. 2455a(a)(2)) is amended by inserting ‘‘in each even-numbered year and 150 days in each odd-numbered year’’ after ‘‘90 days’’.

SEC. 3121. REALIGN OFFICE THREE REVIEW OF CERTAIN DEFENSE ENVIRONMENTAL CLEANUP PROJECTS.

Section 3314 of the National Nuclear Security Administration Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2713), as amended by section 3139(a) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2158), is further amended—

(1) in subsection (a), by striking ‘‘a series of three reviews’’, as described in subsections (b), (c), and (d) and inserting ‘‘two reviews, as described in subsections (b) and (c)’’; and

(2) by striking subsection (d).

SEC. 3122. MODIFICATIONS TO COST-BENEFIT ANALYSES FOR COMPETITION OF MANAGEMENT AND OPERATING CONTRACTS.


(1) in subsection (b), by—

(A) by redesignating paragraphs (4) and (5) as paragraphs (6) and (7), respectively; and

(B) by striking paragraphs (1) through (3) and inserting the following new paragraph:

‘‘(1) a clear and complete description of the cost savings the Administrator expects to result from the competition for the contract;’’;

(2) a description of any key limitations or uncertainties that could affect such cost savings, including costs savings that are anticipated but not fully known; and

(3) the costs of the competition for the contract, including the immediate costs of conducting the competition;’’.

(2) by striking subsection (d) and inserting the following:

‘‘(d) a description of any expected disruptions or delays in mission activities or deliverables resulting from the competition for the contract;’’.

(3) a clear and complete description of the benefits expected by the contractor with respect to mission performance or operations resulting from the competition;’’.
(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):
"(c) INFORMATION QUALITY.—A report required by subsection (a) shall be prepared in accordance with—
"(1) the information quality guidelines of the Department of Energy that are relevant to the clear and complete presentation of information on each matter required to be included in the report under subsection (b); and
"(2) best practices of the Government Accountability Office and relevant industries for construction of, if appropriate,
(4) in subsection (d), as redesignated by paragraph (2), by striking paragraph (1) and inserting the following new paragraph (1):
"(1) In general.—Except as provided in paragraph (2), the Comptroller General of the United States shall submit to the congressional defense committees a review of each report required by subsection (a) with respect to a contract not later than 3 years after the report is submitted to such committees that includes an assessment, based on the most current information available, of the following:
"(A) The actual cost savings achieved compared to the estimated dollar amount specified in subsection (b)(1), and any increased costs incurred under the contract that were unexpected or uncertain at the time the contract was awarded.
"(B) Any disruptions or delays in mission activities or deliverables resulting from the competition for the contract compared to the disruptions and delays estimated under subsection (b)(4).
"(C) Whether expected benefits of the competition with respect to mission performance or operational performance have been achieved.
and
(5) in subsection (e), as so redesignated—
(A) in paragraph (1), by striking "2013 through 2017" and inserting "2015 through 2020";
(B) by striking paragraph (2);
(C) by redesignating paragraph (3) as paragraphs (4) and (5);
and
(D) in paragraph (2), as redesignated by subparagraph (C), by striking "subsections (a) and (d)(2)" and inserting "subsection (a)".
SEC. 3123. IMPLEMENTATION OF RECOMMENDATIONS OF THE CONGRESSIONAL ADVISORY PANEL ON THE GOVERNANCE OF THE NUCLEAR SECURITY ENTERPRISE.
(a) In general.—Not later than 90 days after the date of the enactment of this Act, the Administrator for Nuclear Security shall enter into an agreement with the National Academy of Sciences and the National Academy of Public Administration (in this section referred to as the "Joint panel") to review the implementation of the recommendations specified in subsection (b) of the Congressional Advisory Panel on the Governance of the Nuclear Security Enterprise established by section 3166 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2308), as amended by section 3142 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 1069).
(c) Report required.—Not later than March 31, 2016, and annually thereafter through 2020, the Joint panel shall submit to the congressional defense committees a report on the review required by subsection (a) that includes an assessment of—
(1) the status of the implementation of the recommendations specified in subsection (b); and
(2) the extent to which the implementation of the recommendations is resulting in the decreased cost of the services provided by the Congressional Advisory Panel on the Governance of the Nuclear Security Enterprise.

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD
SEC. 3201. AUTHORIZATION.
There are authorized to be appropriated for fiscal year 2016, $2,159,000 for the operation of the Defense Nuclear Facilities Safety Board under chapter 21 of the Atomic Energy Act of 1954 (42 U.S.C. 2266 et seq.).
DIVISION D—FUNDING TABLES
SEC. 4001. AUTHORIZATION OF AMOUNTS IN FUNDING TABLES.
(a) In general.—Whenever a funding table in this division specifies a dollar amount authorized for a project, program, or activity, the obligation and expenditure of the specified dollar amount for the project, program, or activity is hereby authorized, subject to the availability of appropriations.

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

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<td>14 PROJ 155MM EXTENDED RANGE M982</td>
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<td>3 NON-LETHAL AMMUNITION, ALL TYPES</td>
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<tr>
<td>65</td>
<td>2 MEXICO-9$5 MILLION (AMMO)</td>
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<td>1 MEXICO-9$5 MILLION (AMMO)</td>
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**TOTAL PROCUREMENT OF AMMUNITION, ARMY**

**SMALL/MEDIUM CAL AMMUNITION**

1. CTG, 5.56MM, ALL TYPES | 43,489 | 43,489 |
2. CTG, 7.62MM, ALL TYPES | 40,715 | 40,715 |
3. CTG, HANDGUN, ALL TYPES | 7,753 | 6,801 |
4. CTG, .50 CAL, ALL TYPES | 24,728 | 24,728 |
5. CTG M2, ALL TYPES | 8,305 | 8,305 |
6. CTG, 30MM, ALL TYPES | 34,330 | 34,330 |
7. CTG, 40MM, ALL TYPES | 79,972 | 69,972 |
8. 60MM MORTAR, ALL TYPES | 42,898 | 42,898 |
9. 81MM MORTAR, ALL TYPES | 43,500 | 43,500 |
10. 120MM MORTAR, ALL TYPES | 64,372 | 64,372 |

**TANK AMMUNITION**

11. CARTRIDGES, TANK, 105MM AND 120MM, ALL TYPES | 105,541 | 105,541 |

**ARTILLERY AMMUNITION**

12. ARTILLERY CARTRIDGES, 75MM & 105MM, ALL TYPES | 57,756 | 57,756 |
13. ARTILLERY PROJECTILE, 155MM, ALL TYPES | 77,995 | 77,995 |
14. PROJ 155MM EXTENDED RANGE M982 | 45,518 | 45,518 |
15. ARTILLERY PROPPELLANTS, FUZES AND PRIMERS, ALL | 78,024 | 78,024 |

**ROCKETS**

16. SHOULDER LAUNCHED MUNITIONS, ALL TYPES | 7,500 | 7,500 |
17. ROCKET, HYDRA 70, ALL TYPES | 33,653 | 33,653 |

**OTHER AMMUNITION**

18. 105MM MORTAR, ALL TYPES | 5,639 | 5,639 |
19. DEMOLITION MUNITIONS, ALL TYPES | 9,751 | 9,751 |
20. GRENADERS, ALL TYPES | 19,993 | 19,993 |
21. SIGNALS, ALL TYPES | 9,761 | 9,761 |
22. SIMULATORS, ALL TYPES | 9,749 | 9,749 |

**MISCELLANEOUS**

23. AMMO COMPONENTS, ALL TYPES | 3,521 | 3,521 |
24. NON-LETHAL AMMUNITION, ALL TYPES | 1,700 | 1,700 |
25. ITEMS LESS TH$5 MILLION (AMMO) | 6,181 | 6,181 |
26. AMMUNITION PECCULAR EQUIPMENT | 17,811 | 17,811 |
27. FIRST DESTINATION TRANSPORTATION (AMMO) | 14,695 | 14,695 |

**TOTAL PROCUREMENT OF AMMUNITION, ARMY**

1,233,378 1,222,426
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Under execution of prior year funds:

**ELECTRONIC EQUIPMENT—TACTICAL**

- AIR & TV DEFENSE PLANNING & CONTROL SYS
- AIR & MSL DEFENSE PLANNING & CONTROL SYS
- LIFE CYCLE SOFTWARE SUPPORT (LCS)
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**WEAPONS PROCUREMENT, NAVY**

**MODIFICATION OF MISSILES**

1. **TRIDENT II MODS** | 1,099,064 | 1,099,064 |
2. **MISSILE INDUSTRIAL FACILITIES** | 7,748 | 7,748 |
3. **TOMAHAWK** | 184,814 | 214,814 |

**TACTICAL MISSILES**

4. **AMRAAM** | 192,873 | 207,873 |
5. **SIDEWINDER** | 96,427 | 96,427 |
6. **JSOW** | 21,419 | 21,419 |
7. **PRACTICE BOMBS** | 435,352 | 435,352 |
8. **RAM** | 80,826 | 80,826 |
9. **STAND OFF PRECISION GUIDED MUNITIONS (SOPGM)** | 4,265 | 4,265 |
10. **AERIAL TARGETS** | 40,792 | 40,792 |
11. **OTHER MISSILES SUPPORT** | 3,335 | 3,335 |

**MODIFICATION OF MISSILES**

12. **ESSM** | 44,440 | 44,440 |
13. **HARM MODS** | 54,967 | 54,967 |
14. **HARM MODS** | 122,298 | 122,298 |

**SUPPORT EQUIPMENT & FACILITIES**

15. **WEAPONS INDUSTRIAL FACILITIES** | 2,397 | 2,397 |
16. **FLEET SATELLITE COMM FOLLOW-ON** | 39,932 | 39,932 |

**ORDNANCE SUPPORT EQUIPMENT**

17. **ORDNANCE SUPPORT EQUIPMENT** | 57,641 | 61,309 |

**TOTAL AIRCRAFT PROCUREMENT, NAVY** | 3,154,154 | 3,292,822 |

**SUPPORT EQUIPMENT**

**DESTINATION TRANSPORTATION**

18. **DESTINATION TRANSPORTATION** | 3,342 | 3,342 |

**GUNS AND GUN MOUNTS**

19. **SMALL ARMS AND WEAPONS** | 11,937 | 11,937 |

**MODIFICATION OF GUNS AND GUN MOUNTS**

20. **SMALL ARMS MODS** | 53,147 | 53,147 |
21. **COAST GUARD WEAPONS** | 19,022 | 19,022 |
22. **GUN MOUNT MODS** | 67,980 | 67,980 |
23. **AIRBORNE MINE NEUTRALIZATION SYSTEMS** | 19,823 | 19,823 |
24. **SPARES AND REPAIR PARTS** | 149,725 | 149,725 |

**TOTAL WEAPONS PROCUREMENT, NAVY** | 3,154,154 | 3,292,822 |

**PROCUREMENT OF AMMO, NAVY & MC**

**NAVY AMMUNITION**

1. **GENERAL PURPOSE BOMBS** | 101,238 | 101,238 |
2. **AIRBORNE ROCKETS, ALL TYPES** | 67,289 | 67,289 |
3. **MACHINE GUN AMMUNITION** | 20,340 | 20,340 |
4. **PRACTICE BOMBS** | 40,365 | 40,365 |
5. **CARTRIDGES & CART ACTUATED DEVICES** | 49,377 | 49,377 |
6. **AIR EXPENDABLE COUNTERMEASURES** | 59,651 | 59,651 |
7. **JATOS** | 2,806 | 2,806 |
8. **LRLAP 5" LONG RANGE ATTACK PROJECTILE** | 11,596 | 11,596 |
9. **5 INCH/54 GUN AMMUNITION** | 35,994 | 35,994 |
10. **30 CALIBER GUN AMMUNITION** | 39,715 | 39,715 |
11. **OTHER SHIP GUN AMMUNITION** | 45,483 | 45,483 |
12. **SMALL ARMS & LANDING PARTY AMMO** | 52,080 | 52,080 |
### SEC. 4101. PROCUREMENT (In Thousands of Dollars)

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### SHIPBUILDING AND CONVERSION, NAVY

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### OTHER PROCUREMENT, NAVY

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**Procurement, Marine Corps**

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### AIRCRAFT SPARES AND REPAIR PARTS

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**INDUSTRIAL PREPAREDNESS**

1. INDUSTRIAL RESPONSIVENESS
   - 18,802

**WAR CONSUMABLES**

1. WAR CONSUMABLES
   - 156,465

2. Transfer from RDT&E for NATO AWACS
   - (50,086)

**CLASSIFIED PROGRAMS**

1. CLASSIFIED PROGRAMS
   - 42,503

**TOTAL AIRCRAFT PROCUREMENT, AIR FORCE**

   - 15,657,769
   - 16,472,713

**MISSILE PROCUREMENT, AIR FORCE**

1. MISSILE REPLACEMENT EQUIPMENT—BALLISTIC
   - 1 MISSILE REPLACEMENT EQ—BALLISTIC
     - 94,040

**TACTICAL**

1. JOINT AIR-SURFACE STANDOFF MISSILE
   - 440,578

**MISSILE SPARES AND REPAIR PARTS**

1. PREDATOR HEL/FIRE MISSILE
   - 423,016

**INDUSTRIAL FACILITIES**

1. INDUSTRIAL PREPAREDNESS/PROTECTION
   - 397

**CLASS IV**

1. MM III MODIFICATIONS
   - 50,517

**SPECIAL PROGRAMS**

1. SPECIAL PROGRAMS
   - 276,562

**TOTAL SPACE PROCUREMENT, AIR FORCE**

   - 2,987,045
   - 2,987,045

**SPACE PROGRAMS**

1. ADVANCED EHF
   - 333,366

**PROCUREMENT OF AMMUNITION, AIR FORCE**

**ROCKETS**

1. ROCKETS
   - 23,788

**CARTRIDGES**

1. CARTRIDGES
   - 131,102
     - Increase to match size of A-10 fleet
     - (38,500)

**BOMBS**

1. PRACTICE BOMBS
   - 89,759

**EXPLOSIVE ORDNANCE DISPOSAL (EOD)**

1. EXPLOSIVE ORDNANCE DISPOSAL (EOD)
   - 5,612

**SPARES AND REPAIR PARTS**

1. SPARES AND REPAIR PARTS
   - 103

**MODIFICATIONS**

1. MODIFICATIONS
   - 1,102

**ITENS LESS THAN $5 MILLION**

1. ITEMS LESS THAN $5 MILLION
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**FLARES**

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**FUZES**

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### SEC. 4101. PROCUREMENT
**(In Thousands of Dollars)**

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<td>STUAS L0</td>
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<td>AC/MC-130J</td>
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<td>C-130 TP/TA adjustments</td>
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<td>CBP</td>
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**Joint Urgent Operational Needs Fund**

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**Total Procurement**

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### SEC. 4102. PROCUREMENT FOR OVERSEAS CON-TINGENCY OPERATIONS

**(In Thousands of Dollars)**

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<td>RQ-7 UAV MODS</td>
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**Missile Procurement, Army**

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**Procurement of W&TCV, Army**

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**Procurement of Ammunition, Army**

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## SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS

### (In Thousands of Dollars)

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**TOTAL PROCUREMENT OF AMMUNITION, ARMY**

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**TOTAL OTHER PROCUREMENT, ARMY**

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**TOTAL AIRCRAFT PROCUREMENT, NAVY**

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### TOTAL WEAPONS PROCUREMENT, NAVY

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### PROCUREMENT OF AMMO, NAVY & MC

#### NAVY AMMUNITION

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### OTHER PROCUREMENT, NAVY

#### CIVIL ENGINEERING SUPPORT EQUIPMENT

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#### CLASSIFIED PROGRAMS

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### PROCUREMENT, MARINE CORPS

#### GUIDED MISSILES

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#### OTHER SUPPORT

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### AIRCRAFT PROCUREMENT, AIR FORCE

#### OTHER AIRCRAFT

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### TOTAL AIRCRAFT PROCUREMENT, AIR FORCE

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### MISSILE PROCUREMENT, AIR FORCE

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### PROCUREMENT OF AMMUNITION, AIR FORCE

#### CARTRIDGES

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### OTHER PROCUREMENT, AIR FORCE

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### SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

#### (In Thousands of Dollars)

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#### APPLIED RESEARCH

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**TOTAL, RDT&E MANAGEMENT SUPPORT**

### OPERATIONAL SYSTEMS DEVELOPMENT

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### SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

#### (In Thousands of Dollars)

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#### SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT

| | | | 1,129,297 | 1,169,297 |

### RESEARCH, DEVELOPMENT, TEST & EVALUARY, NAVY

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#### SUBTOTAL, ADVANCED TECHNOLOGY DEVELOPMENT

| | | | 662,864 | 652,864 |

### ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES

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**SYSTEM DEVELOPMENT & DEMONSTRATION**

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Excess FY15 funds buy down FY16 requirements

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**RESEARCH, DEVELOPMENT, TEST & EVAL, AF**

**BASIC RESEARCH**

1. 0601012F
   DEFENSE RESEARCH SCIENCES
   - Basic research program increase (45,000)

2. 0601013F
   UNIVERSITY RESEARCH INITIATIVES
   - Increase to match previous year funding level (13,500)

3. 0601018F
   HIGH ENERGY LASER RESEARCH INITIATIVES
   - 13,778

**SUBTOTAL, BASIC RESEARCH**

- 485,253

**APPLIED RESEARCH**

4. 0602102F
   MATERIALS
   - Nanostructured and biological materials (-10,000)
   - 125,234

5. 0602201F
   AEROSPACE VEHICLE TECHNOLOGIES
   - 123,438

6. 0602202F
   HUMAN EFFECTIVENESS APPLIED RESEARCH
   - 100,530

7. 0602203F
   AEROSPACE PROPULSION
   - 182,326

8. 0602204F
   AEROSPACE SENSORS
   - 147,291

9. 0602610F
   SPACE TECHNOLOGY
   - 116,122

10. 0602902F
    CONVENTIONAL MUNITIONS
    - 99,851

11. 0603417F
    DIRECTED ENERGY TECHNOLOGY
    - 116,594

12. 060788F
    DOMINANT INFORMATION SCIENCES AND METHODS
    - 164,909

13. 060890F
    HIGH ENERGY LASER RESEARCH
    - 42,037

**SUBTOTAL, APPLIED RESEARCH**

- 1,217,542

**ADVANCED TECHNOLOGY DEVELOPMENT**

14. 0603112F
    ADVANCED MATERIALS FOR WEAPON SYSTEMS
    - 37,665

15. 0603199F
    SUSTAINMENT SCIENCE AND TECHNOLOGY (S&T)
    - 18,378

16. 0603203F
    ADVANCED AEROSPACE SENSORS
    - 42,183

17. 0603211F
    AEROSPACE TECHNOLOGY DEV/DEMO
    - 100,733

18. 0603216F
    AEROSPACE PROPULSION AND POWER TECHNOLOGY
    - 168,821

19. 0603270F
    ELECTRONIC COMBAT TECHNOLOGY
    - 47,032

20. 0603412F
    ADVANCED SPACECRAFT TECHNOLOGY
    - 54,897

21. 0603444F
    MAUI SPACE SURVEILLANCE SYSTEM (MSSS)
    - 12,853

22. 0603456F
    HUMAN EFFECTIVENESS ADVANCED TECHNOLOGY DEVELOPMENT
    - 25,448

23. 0603601F
    CONVENTIONAL WEAPONS TECHNOLOGY
    - 48,536

24. 0603653F
    ADVANCED WEAPONS TECHNOLOGY
    - 39,195

25. 0603660F
    MANUFACTURING TECHNOLOGY PROGRAM
    - 42,630

26. 0603788F
    BATTLESPACE KNOWLEDGE DEVELOPMENT AND DEMONSTRATION
    - 46,414

**SUBTOTAL, ADVANCED TECHNOLOGY DEVELOPMENT**

- 675,785

**ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES**

27. 0603860F
    INTELLIGENCE ADVANCED DEVELOPMENT
    - 5,032

28. 0603863F
    SPACE CONTROL TECHNOLOGY
    - 4,790

29. 0603722F
    COMBAT IDENTIFICATION TECHNOLOGY
    - 21,790

30. 0603790F
    NATO RESEARCH AND DEVELOPMENT
    - 4,736

31. 0603830F
    SPACE SECURITY AND DEFENSE PROGRAM
    - 30,771

32. 0603851F
    INTERCONTINENTAL BALLISTIC MISSILE—DEM/VAL
    - 39,765

33. 0604015F
    LONG RANGE STRIKE
    - 1,269,238

**Delayed EMD contract award**

- 460,000

34. 0604317F
    TECHNOLOGY TRANSFER
    - 3,512

35. 0604327F
    HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTDS) PROGRAM
    - 54,637

36. 0604422F
    WEATHER SYSTEM FOLLOW-ON
    - 76,108

37. 0604857F
    OPERATIONALLY RESPONSIVE SPACE
    - 6,457

**Increase to match previous year funding level**

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**ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES**

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**SYSTEM DEVELOPMENT AND DEMONSTRATION**

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## Operational System Development

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**Subtotal, System Development & Demonstration**

856,071

### Classification Programs

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**Subtotal, Management Support**

856,071
SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

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SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS

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TITLE XLIII—OPERATION AND MAINTENANCE

SEC. 4301. OPERATION AND MAINTENANCE.
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### SEC. 4301. OPERATION AND MAINTENANCE  
*(In Thousands of Dollars)*

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| OPERATION & MAINTENANCE, AF RESERVE  
OPERATING FORCES | | |
| 010 | PRIMARY COMBAT FORCES | 1,779,378 | 1,779,378 |
| 020 | MISSION SUPPORT OPERATIONS | 226,243 | 226,243 |
| 030 | DEPOT MAINTENANCE | 467,036 | 467,036 |
| 040 | FACILITY SUSTAINMENT, RESTORATION & MODERNIZATION | 109,342 | 109,342 |
| 050 | BASE SUPPORT | 373,707 | 373,707 |
| SUBTOTAL, OPERATING FORCES | 2,975,706 | 2,975,706 |
| ADMINISTRATION AND SERVICE-WIDE ACTIVITIES | | |
| 060 | ADMINISTRATION | 53,921 | 53,921 |
| 070 | RECRUITING AND ADVERTISING | 14,359 | 14,359 |
| 080 | MILITARY MANPOWER AND PERS MGMT (ARPC) | 13,665 | 13,665 |
| 090 | OTHER PERS SUPPORT (DISABILITY COMP) | 6,006 | 6,006 |
| xx | UNDISTRIBUTED | 0 | 2,116 |
|      | Costs associated with preventing divestiture of A-10 fleet | | (2,116) |
| SUBTOTAL, ADMINISTRATION AND SERVICE-WIDE ACTIVITIES | 88,551 | 86,435 |
| UNDISTRIBUTED | | |
| xxxx | UNDISTRIBUTED BULK FUEL SAVINGS | 0 | (101,100) |
|      | Bulk fuel savings | | (101,100) |
| SUBTOTAL, UNDISTRIBUTED | 0 | (101,100) |
| TOTAL OPERATION & MAINTENANCE, ANG | 3,064,257 | 2,961,041 |
| OPERATION & MAINTENANCE, ANG  
OPERATING FORCES | | |
<p>| 010 | AIRCRAFT OPERATIONS | 3,526,471 | 3,526,471 |
| 020 | MISSION SUPPORT OPERATIONS | 740,779 | 743,379 |
| 030 | DEPOT MAINTENANCE | 1,763,859 | 1,763,859 |
| 040 | FACILITY SUSTAINMENT, RESTORATION &amp; MODERNIZATION | 288,786 | 288,786 |
| 050 | BASE SUPPORT | 582,037 | 582,037 |
| SUBTOTAL, OPERATING FORCES | 6,901,932 | 6,904,532 |
| ADMINISTRATION AND SERVICE-WIDE ACTIVITIES | | |
| 060 | ADMINISTRATION | 23,626 | 23,626 |
| 070 | RECRUITING AND ADVERTISING | 30,652 | 30,652 |
| xx | UNDISTRIBUTED | 0 | (3,015) |
| xxx | UNDISTRIBUTED | 0 | (42,200) |
|      | Costs associated with preventing divestiture of A-10 fleet | | (42,200) |
| SUBTOTAL, ADMINISTRATION AND SERVICE-WIDE ACTIVITIES | 54,278 | 93,463 |
| UNDISTRIBUTED | | |
| xxxx | UNDISTRIBUTED BULK FUEL SAVINGS | 0 | (162,600) |
|      | Bulk fuel savings | | (162,600) |
| SUBTOTAL UNDISTRIBUTED | 0 | (162,600) |
| TOTAL OPERATION &amp; MAINTENANCE, ANG | 6,956,210 | 6,855,395 |
| OPERATION AND MAINTENANCE, DEFENSE-WIDE OPERATING FORCES | | |
| 010 | JOINT CHIEFS OF STAFF | 485,888 | 505,888 |
| 020 | OFFICE OF THE SECRETARY OF DEFENSE | 534,795 | 590,795 |
|      | DOD Rewards reduction-funding ahead of need | | (4,000) |
| 030 | SPECIAL OPERATIONS COMMAND/OPERATING FORCES | 4,862,368 | 4,862,368 |</p>
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SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS.

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SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)

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### SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS

(In Thousands of Dollars)

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**TITLE XLIV—MILITARY PERSONNEL**

**SEC. 4401. MILITARY PERSONNEL**

(In Thousands of Dollars)

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**SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS**

(In Thousands of Dollars)

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### SEC. 4501. OTHER AUTHORIZATIONS

(Office of the Senate, 2015)

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**TITLE XLV—OTHER AUTHORIZATIONS**

SEC. 4501. OTHER AUTHORIZATIONS.

(Office of the Senate, 2015)

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**Procurement**

Funding ahead of need

(Office of the Senate, 2015)
### SEC. 4501. OTHER AUTHORIZATIONS

(In Thousands of Dollars)

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#### DEFENSE HEALTH PROGRAM

**OPERATION & MAINTENANCE**

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#### PROCUREMENT

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#### TOTAL DEFENSE HEALTH PROGRAM

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#### TOTAL OTHER AUTHORIZATIONS

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### SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS

(In Thousands of Dollars)

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#### WORKING CAPITAL FUND, DEFENSE-WIDE

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#### TOTAL WORKING CAPITAL FUND

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#### DRUG INTERDICATION & CTR-DRUG ACTIVITIES, DEF

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#### TOTAL, DRUG INTERDICATION & CTR-DRUG ACTIVITIES, DEF

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#### OFFICE OF THE INSPECTOR GENERAL

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#### DEFENSE HEALTH PROGRAM

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### OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS

#### SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS

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#### COUNTERTERRORISM PARTNERSHIPS FUND

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#### UKRAINE SECURITY ASSISTANCE INITIATIVE

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#### TOTAL OTHER AUTHORIZATION

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### TITLE XLVI—MILITARY CONSTRUCTION

#### SEC. 4601. MILITARY CONSTRUCTION

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<td>Pier</td>
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**MIL CON, NAVY**

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**MILCON, AIR FORCE**

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### SEC. 4601. MILITARY CONSTRUCTION

(In Thousands of Dollars)

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**SUBTOTAL, MILCON, AIR FORCE** .......................................................... 1,354,785 1,366,185

**MIL CON, DEF-WIDE**

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## SEC. 4601. MILITARY CONSTRUCTION

(In Thousands of Dollars)

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SEC. 4601. MILITARY CONSTRUCTION

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**MILCON, AF RES**

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**SUBTOTAL, MILCON, AF RES** .......................................................... 46,821 57,221

**NATO SEC INV PRGM**

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**TOTAL MILITARY CONSTRUCTION** ....................................................... 6,641,995 6,641,055

**FAMILY HOUSING**

**FAM HSG CON, ARMY**

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**SUBTOTAL, FAM HSG CON, ARMY** .......................................................... 99,695 99,695

**FAM HSG O&M, ARMY**

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SEC. 4601. MILITARY CONSTRUCTION  
(In Thousands of Dollars)

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### Military Construction

#### (In Thousands of Dollars)

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#### Defense Base Realignment and Closure

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### Discretionary Summary By Appropriation

#### Energy and Water Development, and Related Agencies

**Appropriation Summary:**

- **Energy Programs**
  - Nuclear Energy ........................................................................................................ 135,161 135,161

- **Atomic Energy Defense Activities**
  - National nuclear security administration:
    - Weapons activities .............................................................................................. 8,846,948 9,026,948
    - Defense nuclear nonproliferation ........................................................................ 1,940,302 1,945,302
    - Naval reactors ....................................................................................................... 1,375,496 1,375,496
    - Federal salaries and expenses ............................................................................... 402,654 402,654
  - Total, National nuclear security administration .................................................. 12,565,400 12,750,400

- **Environmental and other defense activities:**
  - Defense environmental cleanup .............................................................................. 5,527,347 5,075,550
  - Other defense activities .......................................................................................... 774,425 774,425
  - Total, Environmental & other defense activities .................................................. 6,301,772 5,849,975

- **Total, Atomic Energy Defense Activities** ......................................................... 18,867,172 18,600,375

- **Total, Discretionary Funding** ............................................................................ 19,092,533 18,735,536

#### Nuclear Energy

- Idaho sitewide safeguards and security .................................................................. 126,161 126,161
- Used nuclear fuel disposition .................................................................................. 9,000 9,000
- Total, Nuclear Energy ............................................................................................. 135,161 135,161

#### Weapons Activities

- **Directed stockpile work**
  - Life extension programs:
    - B61 Life extension program ................................................................................. 643,300 643,300
    - W78 Life extension program ................................................................................ 244,019 244,019
    - W88 Alt 370 ......................................................................................................... 220,176 220,176
    - W80-4 Life extension program .............................................................................. 195,037 195,037
  - Total, Life extension programs .......................................................................... 1,302,532 1,302,532

- **Stockpile systems**
  - B61 Stockpile systems ......................................................................................... 52,247 52,247
  - W78 Stockpile systems ......................................................................................... 50,921 50,921
  - W78 Stockpile systems ......................................................................................... 64,092 64,092
  - W80 Stockpile systems ......................................................................................... 68,005 68,005
  - B83 Stockpile systems ......................................................................................... 42,177 42,177
  - W81 Stockpile systems ......................................................................................... 89,299 89,299
  - W88 Stockpile systems ......................................................................................... 115,885 115,885
  - Total, Stockpile systems ..................................................................................... 482,426 482,426

- **Weapons dismantlement and disposition**
  - Operations and maintenance ................................................................................ 48,049 48,049

- **Stockpile services**
  - Production support ............................................................................................... 447,527 447,527
  - Research and development support ...................................................................... 34,159 34,159
  - R&D certification and safety .................................................................................. 192,613 192,613
  - Management, technology, and production ............................................................. 264,994 264,994
  - Total, Stockpile services ...................................................................................... 939,293 939,293

- **Nuclear material commodities**
  - Uranium sustainment ............................................................................................. 32,916 32,916
  - Plutonium sustainment ........................................................................................... 174,698 174,698
  - Tritium sustainment ............................................................................................... 107,345 107,345
  - Domestic uranium enrichment .............................................................................. 101,000 101,000
  - Total, Nuclear material commodities .................................................................. 414,959 414,959

- **Total, Directed stockpile work** ........................................................................ 3,187,259 3,187,259

#### Research, development, test and evaluation (RDT&E)

- **Science**
  - Advanced certification ......................................................................................... 50,714 50,714
  - Primary assessment technologies ......................................................................... 98,500 98,500
  - Dynamic materials properties ............................................................................. 109,000 109,000
  - Advanced radiography ......................................................................................... 47,000 47,000
  - Secondary assessment technologies ................................................................... 84,426 84,426
  - Total, Science ...................................................................................................... 389,614 389,614

- **Engineering**
  - Enhanced surety ................................................................................................. 50,821 50,821
  - Weapon systems engineering assessment technology ......................................... 17,371 17,371
  - Nuclear survivability ............................................................................................ 24,461 24,461
  - Enhanced surveillance ......................................................................................... 38,724 38,724
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<td>386,652</td>
</tr>
<tr>
<td>SR community and regulatory support</td>
<td>11,249</td>
<td>11,249</td>
</tr>
<tr>
<td><strong>Radioactive liquid tank waste</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Radioactive liquid tank waste stabilization and disposition</td>
<td>581,878</td>
<td>581,878</td>
</tr>
<tr>
<td>Construction:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>15–D–405–Saltstone Disposal Unit #6</td>
<td>34,642</td>
<td>34,642</td>
</tr>
<tr>
<td>05–D–405 Salt waste processing facility, Savannah River</td>
<td>194,000</td>
<td>194,000</td>
</tr>
<tr>
<td><strong>Total, Construction</strong></td>
<td>228,642</td>
<td>228,642</td>
</tr>
<tr>
<td>Total, Radioactive liquid tank waste</td>
<td>810,520</td>
<td>810,520</td>
</tr>
<tr>
<td>Total, Savannah River site</td>
<td>1,208,421</td>
<td>1,208,421</td>
</tr>
<tr>
<td>Waste Isolation Pilot Plant</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Waste isolation pilot plant</td>
<td>212,600</td>
<td>212,600</td>
</tr>
<tr>
<td><strong>Construction</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>15–D–411 Safety significant confinement ventilation system, WIPP</td>
<td>23,218</td>
<td>23,218</td>
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<tr>
<td>15–D–412 Exhaust shaft, WIPP</td>
<td>7,500</td>
<td>7,500</td>
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<tr>
<td><strong>Total, Construction</strong></td>
<td>30,718</td>
<td>30,718</td>
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<tr>
<td>Total, Waste Isolation Pilot Plant</td>
<td>243,318</td>
<td>243,318</td>
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<tr>
<td>Program direction</td>
<td>281,951</td>
<td>281,951</td>
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<tr>
<td>Program support</td>
<td>14,979</td>
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<td><strong>Safeguards and Security</strong></td>
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<td>Oak Ridge Reservation</td>
<td>17,228</td>
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<tr>
<td>Paducah</td>
<td>8,216</td>
<td>8,216</td>
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<td>Portsmouth</td>
<td>8,492</td>
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<tr>
<td>Richland/Hanford Site</td>
<td>67,601</td>
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<td>Savannah River Site</td>
<td>128,345</td>
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<td>Waste Isolation Pilot Project</td>
<td>4,880</td>
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<td>West Valley</td>
<td>1,891</td>
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<tr>
<td>Technology development</td>
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<td>14,510</td>
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<td><strong>Subtotal, Defense environmental cleanup</strong></td>
<td>5,055,550</td>
<td>5,075,550</td>
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<tr>
<td>Uranium enrichment D&amp;D fund contribution</td>
<td>471,797</td>
<td>0</td>
</tr>
<tr>
<td>Requires industry match authorization that will not be forthcoming</td>
<td>[−471,797]</td>
<td></td>
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<tr>
<td><strong>Total, Defense Environmental Cleanup</strong></td>
<td>5,527,347</td>
<td>5,075,550</td>
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<tr>
<td><strong>Other Defense Activities</strong></td>
<td></td>
<td></td>
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<tr>
<td>Specialized security activities</td>
<td>221,855</td>
<td>221,855</td>
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<td><strong>Environment, health, safety and security</strong></td>
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<td></td>
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<tr>
<td>Environment, health, safety and security</td>
<td>120,693</td>
<td>120,693</td>
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<tr>
<td>Program direction</td>
<td>63,105</td>
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<tr>
<td><strong>Total, Environment, Health, safety and security</strong></td>
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<td>183,798</td>
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<td>Enterprise assessments</td>
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<td>Enterprise assessments</td>
<td>24,068</td>
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<tr>
<td>Program direction</td>
<td>49,466</td>
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<td><strong>Total, Enterprise assessments</strong></td>
<td>73,534</td>
<td>73,534</td>
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<td><strong>Office of Legacy Management</strong></td>
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<td></td>
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<tr>
<td>Legacy management</td>
<td>154,080</td>
<td>154,080</td>
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<tr>
<td>Program direction</td>
<td>13,100</td>
<td>13,100</td>
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<tr>
<td><strong>Total, Office of Legacy Management</strong></td>
<td>167,180</td>
<td>167,180</td>
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<tr>
<td><strong>Defense-related activities</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chief financial officer</td>
<td>35,758</td>
<td>35,758</td>
</tr>
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</table>
S3620

SEC. 701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

(In Thousands of Dollars)

<table>
<thead>
<tr>
<th>Program</th>
<th>FY 2016 Request</th>
<th>Senate Authorized</th>
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<tbody>
<tr>
<td>Chief information officer</td>
<td>83,800</td>
<td>83,800</td>
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<tr>
<td>Management</td>
<td>3,000</td>
<td>3,000</td>
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<tr>
<td>Total, Defense related administrative support</td>
<td>122,558</td>
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<tr>
<td>Office of hearings and appeals</td>
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<td>5,500</td>
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<tr>
<td>Subtotal, Other defense activities</td>
<td>774,425</td>
<td>774,425</td>
</tr>
<tr>
<td>Total, Other Defense Activities</td>
<td>774,425</td>
<td>774,425</td>
</tr>
</tbody>
</table>

SA 1464. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. MCCAIN and intended to be proposed to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 884. REQUIREMENT THAT CERTAIN SHIP COMPONENTS BE MANUFACTURED IN THE NATIONAL TECHNOLOGY AND INDUSTRIAL BASE.

(a) ADDITIONAL PROCUREMENT LIMITATION.—Section 2534(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

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(C) Shipboard cranes.
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(b) IMPLEMENTATION.—Such section is further amended by adding at the end the following new subsection:

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(k) IMPLEMENTATION OF AUXILIARY SHIP COMPONENT LIMITATION.—Subsection (a)(6) applies only with respect to contracts awarded by the Secretary of a military department for naval construction and an auxiliary ship after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016 using funds available for National Defense Sealift Program funds for Shipbuilding, Conversion, Navy.
```

SA 1465. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. McCAIN and intended to be proposed to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 718, strike “has emerged” on line 15 and all that follows through “such competition” on line 17.

SA 1466. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. McCAIN and intended to be proposed to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subsection (b) of title VII, add the following:

SEC. 721. ESTABLISHMENT OF STRATEGIC UNIFORM FORMULARY FOR THE PROVISION OF HEALTH CARE SERVICES TO MEMBERS OF THE ARMED FORCES UNDERGOING SEPARATION FROM THE ARMED FORCES.

(a) In General.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of Veterans Affairs shall jointly make available to individuals undergoing the transition from the receipt of health care services through the Department of Defense to the receipt of such services through the Department of Veterans Affairs certain drugs, particularly pain and psychiatric drugs, that are critical to the Department of Defense and the Department of Veterans Affairs for the appropriate and effective provision of health care services to such individuals.

(b) STRATEGIC UNIFORM FORMULARY.—In carrying out subsection (a), the Secretary of Defense and the Secretary of Veterans Affairs shall jointly establish, and periodically update, a strategic uniform formulary for the Department of Defense and the Department of Veterans Affairs that includes certain drugs, particularly pain and psychiatric drugs, that the Secretary of Defense and the Secretary of Veterans Affairs jointly determine are critical to the Department of Defense and the Department of Veterans Affairs for the appropriate and effective provision of health care services to individuals described in such subsection.

(c) REPORT.—

(1) In General.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of Veterans Affairs shall jointly submit to the appropriate committees of Congress a report on the establishment of the strategic uniform formulary under subsection (b).

(2) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term “appropriate committees of Congress” means—

(A) the Committee on Armed Services and the Committee on Veterans’ Affairs of the Senate; and

(B) the Committee on Armed Services and the Committee on Veterans’ Affairs of the House of Representatives.

SA 1467. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subsection (b) of title VII, add the following:

SEC. 1085. MAKING PERMANENT SPECIAL EFFECTIVE DATE FOR AWARDS OF DISABILITY COMPENSATION BY SECRETARY OF VETERANS AFFAIRS FOR VETERANS WHO SUBMIT APPLICATIONS FOR ORIGINAL CLAIMS THAT ARE FULLY-DEVELOPED.

Section 5119(b)(2)(C) of title 38, United States Code, is amended by striking “and shall not apply with respect to claims filed after the date that is three years after the date of the enactment of such Act”.

SEC. 1086. PROVISIONAL BENEFITS AWARDED BY SECRETARY OF VETERANS AFFAIRS FOR FULLY DEVELOPED CLAIMS PENDING FOR MORE THAN 180 DAYS.

(a) In General.—For each application for disability compensation that is filed for an individual with the Secretary, that sets forth an original claim that is fully-developed (as determined by the Secretary) as of the date of submittal, and for which the Secretary has not made a decision, beginning on the date that is 180 days after the date on which such application is filed with the Secretary, the Secretary shall award the individual a provisional benefit under this section.

(b) PROVISIONAL BENEFITS ESTABLISHED.—A provisional benefit awarded pursuant to subsection (a) for a claim for disability compensation shall be for such monthly amount as the Secretary shall establish for each classification of disability claimed as the Secretary shall establish.

(c) RECOVERY.—Notwithstanding any other provision of law, the Secretary may recover a payment of a provisional benefit awarded under this section from the Department of Veterans Affairs for disability compensation only—

(1) in a case in which the Secretary awards the disability compensation for which the individual filed the application and the Secretary may only recover such provisional benefit by subtracting it from payments made for the disability compensation awarded; or

(2) in a case in which the Secretary determines not to award the disability compensation for which the individual filed the application and the Secretary determines that the application was the subject of intentional fraud, misrepresentation, or bad faith on behalf of the individual.

(b) CEREMONIAL AMENDMENT.—The table of sections at the beginning of chapter 53 of such title is amended by inserting after the item relating to section 5319 the following new item:

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5319A. Provisional benefits awarded for fully developed claims pending for extended period.
```

SA 1468. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. McCAIN and intended to be proposed to
the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie upon the table; as follows:

At the end of subtitle F of title III, add the following:

SEC. 555. PILOT PROGRAM FOR IMPROVING ACCESS TO HEALTHY FOODS AT MILITARY INSTALLATIONS.

(a) PILOT PROGRAM AUTHORIZED.—The Secretary of Defense may develop and carry out a pilot program to provide and test the efficacy of fruit and vegetable incentive programs in improving health outcomes, producing positive behavior change, and reducing diet-related diseases among members of the Armed Forces and their families.

(b) LOCATIONS.—The pilot program shall be established on not fewer than three military installations in fiscal year 2016, determined in conjunction with the Secretary of Defense and the Healthy Bases Initiative office.

(c) ACTIVITIES.—The pilot program shall include the following elements:

1. Provision of incentives for preferable fresh fruits and vegetables at farmers markets, grocery and other food retail outlets on each military installation for enrolled patients and their family members.

2. Provision of nutrition counseling for enrolled patients.

3. Provision of appropriate medical care and testing for enrolled patients.

(d) COORDINATION.—In establishing and carrying out these pilot programs, the Secretary of Defense shall contract with an appropriate non-profit service provider for technical assistance, data monitoring, and evaluation.

(e) REPORT.—Not later than two years after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on activities carried out under the pilot program.

SA 1469. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. McCAIN and intended to be proposed to the bill S 16402 entitled "National Guard and Reserves: educational assistance to encourage membership in the armed forces". The amendment, as amended by the amendment added by the amendment following the following new section:

SEC. 515. EDUCATIONAL ASSISTANCE TO ENLISTING MEMBERS IN THE NATIONAL GUARD AND RESERVES: EDUCATIONAL ASSISTANCE TO ENLISTING MEMBERS IN THE NATIONAL GUARD AND RESERVES.

(a) PROGRAMS OF ASSISTANCE AUTHORIZED.—Chapter 165 of title 10, United States Code, is amended by adding at the end the following new section:

§ 16502. National Guard and Reserves: educational assistance to encourage membership in the armed forces.

"(a) AUTHORITY.—Each Secretary of a military department may carry out a program to encourage membership in the reserve components of the armed forces under the jurisdiction of such Secretary through the provision of educational assistance to individuals who participate in such program in order to develop skills that are, or are anticipated to become, critical to one or more reserve components under the jurisdiction of such Secretary.

"(b) PARTICIPATION BY INDIVIDUALS BEFORE COMMENCEMENT OF GRADE 12.—(1) An individual who is more than sixteen years of age may participate in a program under this section before grade 12 of a secondary school with the written consent of the individual’s parent or guardian (if the individual has a parent or guardian entitled to control of the individual).

"(2) An individual who participates in a program under this section pursuant to paragraph (1) shall—

(i) enroll in or accept an appointment as an officer in the reserve component of the armed forces; or

(ii) complete entry level and skill training (if enlisting) or entry level training and officer candidate school (if accepting appointment as an officer);

"(3) the Secretary of a military department shall—

(i) establish and maintain a current list of all skills that are, or are anticipated to be, critical to one or more reserve components under the jurisdiction of such Secretary;

(ii) prescribe academic and other performance standards to be met by individuals participating in the program;

(iii) establish and maintain a current list of other purposes; which was ordered to be printed in the Congressional Record under the heading "Sen. Cardin (S 1809)" on July 15, 2015.

"(d) PARTICIPATION AGREEMENT.—An individual who participates in a program under this section shall enter into a written agreement with the Secretary of the military department concerned—

(i) to enlist in or accept an appointment as an officer in a reserve component of the armed forces; or

(ii) to complete entry level and skill training (if enlisting) or entry level training and officer candidate school (if accepting appointment as an officer);

"(e) THE SERVICE REQUIREMENT.—The service requirement of an individual who participates in a program under this section and who completes the period of service required under subsection (d)(3) or completes the period of service or meet the types or conditions of service required under any other provision of law, shall be treated as satisfying the service requirement of an individual who participates in a program under this section and who participates in a program under any other provision of law referred to in that paragraph to the extent provided in such provisions of law.

"(f) AMOUNT OF EDUCATIONAL ASSISTANCE.—The amount of educational assistance provided under this section to an individual pursuing a course of education described in subsection (d)(3) during an academic year shall be the lesser of—

(i) the maximum amount of in-state tuition and fees assessed during such academic year for programs of education leading to a bachelor’s degree by public institutions of higher education in the State whose National Guard the individual is a member of or where the individual resides, as applicable; or

(ii) the amount of tuition and fees assessed during such academic year for such course of education by the institution of higher education providing such course of education;

"(g) PAYMENT OF EDUCATIONAL ASSISTANCE.—(1) The Secretary of the military department concerned shall pay educational assistance to an individual participating in programs under this section on a monthly basis.

"(h) DEFINITIONS.—In this section:

(i) the term ‘entry level and skill training’ shall mean—

(A) in the case of the members of the Army National Guard of the United States or the
S3622  Army Reserve, Basic Combat Training and Advanced Individual Training or One Station Unit Training.

“(b) In the case of members of the Navy Reserve, Basic Training (or Boot Camp) and Skill Training (or so-called ‘A School’).

“(c) In the case of members of the Air National Guard of the United States of the Air Force Reserve, Basic Military Training and Technical Training.

“(d) In the case of members of the Marine Corps Reserve, Recruit Training and Marine Corps Training (or School of Infantry Training).

“(2) The term ‘institution of higher education’ has the meaning given that term in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002).”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1611 of such title is amended by striking the end of the table and adding at the end the following new item:

“16602. National Guard and Reserves: educational assistance to encourage membership.”.

SA 1470. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. McCain to the bill H.R. 1738, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

“16602. National Guard and Reserves: educational assistance to encourage membership.”.

SEC. 1005. ECONOMICAL AND EFFICIENT OPERATION OF WORKING CAPITAL FUND ACTIVITIES.

Section 2208(e) of title 10, United States Code, is amended—

(1) by inserting “(1)” after “(e)”; and

(2) by adding at the end the following new paragraph:

“(2) The accomplishment of the most economical and efficient operation of working capital fund activities for purposes of paragraph (1) shall include actions toward the following:

“(A) In implementation of a workload plan that optimizes the efficiency of the workforce operating within a working capital fund activity and reduces the rate structure.

“(B) Encouraging a working capital fund activity to perform reimbursable work for other entities to sustain the efficient use of the workforce.

“(C) Delegating the approval process for the acceptance of work from other entities to the lowest level for efficient management and oversight.”.

SA 1471. Mr. BARRASSO submitted an amendment intended to be proposed by his amendment SA 2286, to amend the Indian Self-Determination and Education Assistance Act to provide further self-governance by Indian tribes, and for other purposes; which was ordered to lie on the table; as follows:

“1101. Definitions; reporting and audit requirements; application of provisions.

Sec. 101. Definitions; reporting and audit requirements; application of provisions.

Sec. 102. Contracts by Secretary of the Interior.

Sec. 103. Administrative provisions.

Sec. 104. Contract funding and indirect costs.

Sec. 105. Contract or grant specifications.

TITLES I—INDIAN SELF-DETERMINATION

TITLES I—INDIAN SELF-DETERMINATION

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Department of the Interior Tribal Self-Governance Act of 2015”.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—INDIAN SELF-DETERMINATION

TITLE I—INDIAN SELF-DETERMINATION

SECTION 101. DEFINITIONS; REPORTING AND AUDIT REQUIREMENTS; APPLICATION OF PROVISIONS.

(a) DEFINITIONS.—Section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b) is amended by striking subsection (j) and inserting the following:

“(j) ‘self-determination contract’ means a contract entered into under title I (or a grant or cooperative agreement used under section 9) between a tribal organization and the appropriate Secretary for the planning, conduct, and administration of programs or services that are otherwise provided to Indian tribes by Federal law, subject to the conditions described in section 105(a)(3), no contract entered into under title I (or grant or cooperative agreement used under section 9) shall be—

“(1) considered to be a procurement contract;

“(2) except as provided in section 107(a)(1), subject to any Federal procurement law (including regulations) and Executive orders in a manner consistent with—

“(A) applicable programs, services, functions, and activities (or portions thereof); and

“(B) funds associated with those programs, services, functions, and activities (or portions thereof); and

“(3) the achievement of tribal health objectives.

“(q)(1) TECHNICAL ASSISTANCE FOR INTRATERRITORIAL AND TERMINAL NEIGHBOURHOODS AND GROWTH OF SMALL AND MEDIUM-SIZED TRIBAL ENTERPRISES.

“(2) The retention period shall be defined in regulations promulgated by the Secretary pursuant to Federal law, subject to the conditions described in section 105(a)(3).”.

(b) REPORTING AND AUDIT REQUIREMENTS.—

Section 5 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450c) is amended—

(1) in subsection (b)—

“(A) in the case of a member of the Air National Guard, the Secretary shall, as soon as practicable, provide the necessary technical assistance to assist the Indian tribe in developing adequate internal controls. As part of that technical assistance, the Secretary shall develop a plan for assessing the subsequent effectiveness of such technical assistance.

“(B) for the purpose of tribal self-governance contracts and funding agreements; and

“(c) EFFECTIVE DATE.—The amendment made by subsection (b) shall take effect on the date this Act is implemented.

(d) APPLICATION OF OTHER PROVISIONS.

Sections 4, 5, 6, 7, 102(c), 104, 105(a)(1), 105(f), 110, and 111 of the Indian Self-Determination and Education Assistance Act, as amended (25 U.S.C. 450 et seq.) (Public Law 93–638; 88 Stat. 2203) and section 314 of the Department of the Interior and Related Agencies Appropriations Act, 1991 (Public Law 101–512; 104 Stat. 1959), apply to contracts and funding agreements entered into under title IV.

SECTION 102. CONTRACTS BY SECRETARY OF THE INTERIOR.

Section 102 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450f) is amended—

(1) in subsection (c)(2), by striking “economic enterprises” and all that follows through “except that” and inserting “economic enterprises (as defined in section 3 of the Indian Financing Act of 1974 (25 U.S.C. 1452), except that”;

and

(2) by adding at the end the following:

“(f) GROUFS FUNDING.-In the negotiation of contracts and funding agreements, the Secretary shall—

“(1) at all times negotiate in good faith to maximize implementation of the self-determination policy; and

“(2) carry out this Act in a manner that maximizes the policy of self-determination, in a manner consistent with—

“(A) the purposes specified in section 3; and

“(B) the Department of the Interior Tribal Self-Governance Act of 2015.

“(g) RULE OF CONSTRUCTION.—Subject to section 203 of the Department of the Interior Tribal Self-Governance Act of 2015, each provision of this Act and each provision of a contract or funding agreement shall be liberally construed for Indian tribes participating in self-determination, and any ambiguity shall be resolved in favor of the Indian tribe.”.

SECTION 103. ADMINISTRATIVE PROVISIONS.

Section 105 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450j) is amended—

(1) in subsection (b), in the first sentence, by striking “pursuant to” and all that follows through “of this Act” and inserting “pursuant to sections 102 and 103”; and

(2) by adding at the end the following:

“(p) INTERPRETATION BY SECRETARY.—Except as otherwise provided by law (including section 202 of the Department of the Interior Tribal Self-Governance Act of 2015), the Secretary shall interpret all Federal laws (including regulations) and Executive orders in a manner that facilitates, to the maximum extent practicable—

“(1) the inclusion in self-determination contracts and funding agreements of—

“(A) applicable programs, services, functions, and activities (or portions thereof); and

“(B) funds associated with those programs, services, functions, and activities (or portions thereof); and

“(2) the implementation of self-determination contracts and funding agreements; and

“(3) the achievement of tribal health objectives.

“(q)(1) TECHNICAL ASSISTANCE FOR INTERNAL CONTROLS.—In considering proposals for amendments to, or in the course of a contract under this title and contracts under titles IV and V of this Act, if the Secretary determines that the Indian tribe lacks adequate internal controls necessary to manage the contracted program or contract, the Secretary shall, as soon as practicable, provide the necessary technical assistance to assist the Indian tribe in developing adequate internal controls. As part of that technical assistance, the Secretary and the tribe shall develop a plan for assessing the subsequent effectiveness of such technical assistance.

“(2) The Secretary shall prepare a report to be included in the provision of technical assistance and implementation of the plan required by paragraph (1).”.

SECTION 104. CONTRACT FUNDING AND INDIRECT COSTS.

Section 106(a)(3) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450–1(a)(3)) is amended—

(1) by inserting “(c) REQUIREMENTS;—

“(A) in clause (1), by striking ‘‘; and’’ and inserting ‘‘; and’’; and

SEC. 104. CONTRACT FUNDING AND INDIRECT COSTS.
(B) in clause (ii), by striking “expense related to the overhead incurred” and inserting “expense incurred by the governing body of the Indian tribe or tribal organization and any overhead expense incurred”;

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

(3) by inserting after subparagraph (A) the following:

“(B) In calculating the reimbursement rate for expenses described in subparagraph (A)(ii), not less than 50 percent of the expenses described in subparagraph (A)(ii) that are incurred by the governing body of an Indian tribe or tribal organization relating to a Federal program, function, service, or activity administered by a Tribal Agency, the Indian tribe, or tribal organization that signed the compact and funding agreement on behalf of the withdrawing Indian tribe or tribal organization shall be considered to be reasonable and allowable.”.

SEC. 105. CONTRACT OR GRANT SPECIFICATIONS.

Section 108 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450l) is amended—

(1) in subsection (a)(2), by inserting “subject to subsections (a) and (b) of section (c)” after “Department to be known as the ‘Tribal Self-Governance Program’”;

(2) in paragraph (3), by inserting “program; and” after “Federal function that may not legally be delegated to an Indian tribe.”;

(3) by redesignating subparagraph (A) as subparagraph (B); and

(4) in paragraph (5), by inserting “the authorized Indian tribe or tribal organization.” after “the Indian tribe.”

SEC. 401. DEFINITIONS.

(a) Definitions.—Section 401 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450a) is amended to read as follows:

“SEC. 401. DEFINITIONS.

‘‘(1) ‘Department’—The term ‘Department’ means the Department of the Interior.

‘‘(2) ‘Construction project’—The term ‘construction project’ means a tribal self-governance compact entered into under section 404.

‘‘(3) ‘Construction program’—The term ‘construction program’ or ‘construction project’ means a tribal undertaking relating to the administration, planning, environmental determination, design, construction, repair, improvement, or expansion of roads, bridges, buildings, structures, systems, or other facilities for purposes of housing, law enforcement, detention, sanitation, water supply, education, administration of community health, transportation, agriculture, conservation, flood control, or port facilities, or for other tribal purposes.

‘‘(4) ‘Construction agreement’—The term ‘Construction agreement’ means the Department agreement entered into under section 404.

‘‘(5) ‘Funding agreement’—The term ‘funding agreement’ means a funding agreement entered into under section 404.

‘‘(6) ‘Gross mismanagement’—The term ‘gross mismanagement’ means a significant violation, shown by a preponderance of the evidence, of a compact, funding agreement, or statutory or regulatory requirement applicable to Federal funds—

(A) for a program administered by an Indian tribe;

(B) under a compact or funding agreement that results in a significant reduction of funds available for the programs assumed by an Indian tribe; or

(C) for a program administered by an Indian tribe.

‘‘(7) ‘Program’—The term ‘Program’ means any program, function, service, or activity (or portion thereof) within the Department that is included in a funding agreement.

‘‘(8) ‘Secretary’—The term ‘Secretary’ means the Secretary of the Interior.

‘‘(9) ‘Self-Governance’—The term ‘Self-Governance’ means the Tribal Self-Governance Program established under section 402.

‘‘(10) ‘Tribal’—The term ‘Tribal’ means an Indian tribe, tribal organization, or group of Indian tribes that is included in a funding agreement.

‘‘(11) ‘Tribal executive order’—The term ‘Tribal executive order’ means an order entered into under section 403.

‘‘(12) ‘Tribal organization’—The term ‘Tribal organization’ means a tribal or group of Indian tribes that is included in a funding agreement and transferred to the withdrawing Indian tribe or tribal organization.

‘‘(13) ‘Withdrawing’—The term ‘withdrawing’ means an Indian tribe or tribal organization that signed a compact and funding agreement on behalf of the withdrawing Indian tribe or tribal organization.

‘‘SEC. 402. TRIBAL SELF-GOVERNANCE PROGRAM.

(a) Establishment.—The Secretary shall establish and carry out a program within the Department to be known as the ‘Tribal Self-Governance Program’.

(b) Selection of Participating Indian Tribes.—

(1) In general.—An Indian tribe shall be participating in the Tribal Self-Governance Program.

(2) Effect of withdrawal.—If an Indian tribe or tribal organization that is participating in the Tribal Self-Governance Program withdraws from the program, under a compact or funding agreement entered into under title I, the tribal government shall no longer be considered to be a tribal government participating in the Tribal Self-Governance Program under section 402.

(c) Eligibility.—To be eligible to participate in the Tribal Self-Governance Program, an Indian tribe shall—

(1) successfully complete the planning phase described in subsection (d); and

(2) request participation in self-governance by resolution or other official action by the tribal governing body; and

(3) demonstrate, for the 5 fiscal years preceding the date on which the Indian tribe requests participation, financial stability and financial management capability as evidenced by the Indian tribe’s uncorrected significant and material audit exceptions in the required annual audit of its self-
"(d) Planning Phase.—

"(1) IN GENERAL.—An Indian tribe seeking to begin participation in self-governance shall complete a planning phase as provided in this subsection.

"(2) Activities.—The planning phase shall—

"(A) be conducted to the satisfaction of the Indian tribe; and

"(B) include—

"(i) legal and budgetary research; and

"(ii) internal tribal government planning, training, and organizational preparation.

"(e) Grants.—

"(1) IN GENERAL.—Subject to the availability of appropriations, an Indian tribe or tribal organization that meets the requirements of paragraphs (2) and (3) of subsection (c) shall be eligible for grants—

"(A) to plan for participation in self-governance; and

"(B) to negotiate the terms of participation by the Indian tribe or tribal organization in self-governance, as set forth in a compact and a funding agreement.

"(2) Receipt of Grant Not Required.—Receipt of a grant under paragraph (1) shall not be a requirement of participation in self-governance.

"(f) Funding Agreements.—Section 403 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 458cc) is amended—

"(1) by striking subsection (a) and inserting the following:

"(a) Authorization.—The Secretary shall, on the request of any Indian tribe or tribal organization, enter into a written funding agreement with the governing body of the Indian tribe or the tribal organization in a manner consistent with—

"(i) the trust responsibility of the Federal Government, treaty obligations, and the government-to-government relationship between Indian tribes and the United States; and

"(ii) in subparagraph (b),

"(A) in paragraph (1)

"(i) the text of the preceding subparagraph (A), by striking "without regard to the agency or office of the Bureau of Indian Affairs and inserting "the Office of the Assistant Secretary for Indian Affairs, and the Office of the Special Trustee, without regard to the agency or office of that Bureau or those Offices";

"(ii) in subparagraph (B), by striking "and"; and

"(iii) in subparagraph (C), by inserting "and after the semicolon at the end; and

"(iv) by adding at the end the following:

"(D) any other programs, services, functions, or activities (or portions thereof) that are provided through the Bureau of Indian Affairs or the Office of the Assistant Secretary for Indian Affairs, or the Office of the Special Trustee with respect to which Indian tribes or Indians are primary or significant beneficiaries;"

"(B) in paragraph (2),

"(i) by striking "section 405(c)" and inserting "section 413(c)"; and

"(ii) inserting "and" after the semicolon at the end; and

"(C) in paragraph (3), by striking the semicolon at the end and inserting a period; and

"(D) by striking paragraphs (4) through (9); and

"(3) by adding at the end the following:

"(m) Other Provisions.—

"(1) Excluded Funding.—A funding agreement—

"(A) shall not authorize an Indian tribe to plan, conduct, administer, or receive tribal share funding under any program that—

"(A) is provided under the Tribally Controlled Colleges and Universities Assistance Act of 1978 (25 U.S.C. 1801 et seq.); or

"(B) is provided for elementary and secondary school education, under section 1227 of the Education Amendments of 1978 (25 U.S.C. 2007).

"(2) Services, Functions, and Responsibilities.—A funding agreement shall specify—

"(A) the services to be provided under the funding agreement;

"(B) the functions to be performed under the funding agreement; and

"(C) the responsibilities of the Indian tribe and the Secretary under the funding agreement.

"(3) Base Budget.—A funding agreement shall, at the option of the Indian tribe, provide for a stable base budget specifying the recurring funds (which may include funds that were transferred to the Indian tribe, for such period as the Indian tribe specifies in the funding agreement, subject to annual adjustment only to reflect changes in congressional appropriations.

"(4) No Waiver of Trust Responsibility.—

"(A) A funding agreement shall not transfer to the Indian tribe or the tribal organization in a manner consistent with—

"(i) the trust responsibility of the Federal Government, treaties, and agreements between Indian tribes and the United States; and

"(ii) in subparagraph (B), by striking "and".

"(B) in paragraph (2),

"(i) in subparagraph (A), by striking "the Indian tribe is withdrawing or transceding the operation of one or more programs identified in a funding agreement, or unless otherwise agreed to by the parties to the funding agreement or by the nature of any noncontinuing program, service, function, or activity contained in a funding agreement; and

"(ii) inserting "after the term of the preceding funding agreement to which the Indian tribe is entitled."

"(4) Subsequent Funding Agreements.—

"(1) Subsequent Funding Agreements.—Absent notification from an Indian tribe that the Indian tribe is withdrawing or transceding the operation of one or more programs identified in a funding agreement, or unless otherwise agreed to by the parties to the funding agreement or by the nature of any noncontinuing program, service, function, or activity contained in a funding agreement, a funding agreement shall remain in full force and effect until a subsequent funding agreement is executed, with funding paid annually for each fiscal year the agreement is in effect; and

"(B) the term of the subsequent funding agreement shall be retroactive to the end of the term of the preceding funding agreement for the purposes of calculating the amount of funding to which the Indian tribe is entitled.

"(2) Disputes.—Disputes over the implementation of paragraph (1)(A) shall be subject to section 406(c).

"(3) Existing Funding Agreements.—An Indian tribe that was participating in self-governance on the date of enactment of the Interior Tribal Self-Governance Act of 2015 shall have the option at any time after that date—

"(A) to retain its existing funding agreement (in whole or in part) to the extent that the provisions of that funding agreement are not directly contrary to any express provision of this title; and

"(B) to negotiate a new funding agreement in a manner consistent with this title.

"(4) Multiyear Funding Agreements.—An Indian tribe may, at the discretion of the Indian tribe, negotiate with the Secretary for Indian Affairs, or the Office of the Special Trustee, without regard to the agency or office of that Bureau or those Offices, for Indian tribes or Indians that exists under treaties, Executive orders, court decisions, and other laws.

"(4) Amendment.—

"(A) IN GENERAL.—Subject to the availability of appropriations, an Indian tribe or tribal organization may, at the discretion of the Indian tribe, negotiate with the Secretary for Indian Affairs, or the Office of the Special Trustee, without regard to the agency or office of that Bureau or those Offices for Indian tribes or Indians that exists under treaties, Executive orders, court decisions, and other laws.

"(B) DURATION.—A compact under subsection (a) shall remain in effect—

"(1) for so long as permitted by Federal law; or

"(2) until termination by written agreement, retrogression, or reconstitution.

"(5) Existing Compacts.—An Indian tribe participating in self-governance under this title, as in effect on the date of enactment of the Department of the Interior Tribal Self-Governance Act of 2015, shall have the option at any time after that date—

"(1) to retain its negotiated compact (in whole or in part) to the extent that the provisions of the compact are not directly contrary to any express provision of this title; or

"(2) to negotiate a new compact in a manner consistent with this title.

"(6) General Provisions.—

"(a) Appropriability.—An Indian tribe and the Secretary shall include in any compact or funding agreement provisions that reflect the requirements of this title.

"(b) Conflicts of Interest.—An Indian tribe participating in self-governance shall ensure that internal measures are in place to address any pursuant tribal law and procedures, conflicts of interest in the administration of programs.

"(c) Audits.—

"(1) Single Agency Audit Act.—Chapter 75 of title 31, United States Code, shall apply to a funding agreement under this title.

"(2) Cost Principles.—An Indian tribe shall apply cost principles under the applicable Office of Management and Budget circular, except as modified by—

"(A) any provision of law, including section 1127 of the Education Amendments of 1978 (25 U.S.C. 458aa et seq.); or

"(B) any exemptions to applicable Office of Management and Budget circulars subsequently granted by the Office of Management and Budget.

"(3) Federal Claims.—Any claim by the Federal Government against an Indian tribe relating to funds received under a funding agreement based on any audit under this subsection shall be subject to section 106(f).

"(4) Redesign and Consolidation.—Except as provided in section 407, an Indian tribe may redesign any consolidated programs or reallocate funds for programs in any manner that the Indian tribe determines to be in the best interest of the Indian community being served, so long as that redesign or consolidation does not have the effect of denying eligibility for services to population served.
groups otherwise eligible to be served under applicable Federal law, except that, with respect to the reallocation, consolidation, and redesign of programs described in subsection (b)(2) of this section, a joint agreement between the Secretary and the Indian tribe shall be required.

"(e) RETROCESSION.—

"(1) AN INDIAN TRIBE MAY FULLY OR PARTIALLY RETROCEDE TO THE SECRETARY ANY PROGRAM UNDER A COMPACT OR FUNDING AGREEMENT.

"(2) IN GENERAL.—The Secretary shall be responsible for the administration of programs in accordance with the compact or funding agreement.

"(f) RECORDS.—

"(1) IN GENERAL.—An Indian tribe shall—

(a) maintain a recordkeeping system; and

(b) on a notice period of not less than 30 days, make the recordkeeping system reasonably accessible to the records to enable the Department to receive a copy of the final offer.

"(g) DETERMINATION.—Not more than 60 days after the date of receipt of a final offer, the Secretary shall review and make a determination with respect to the final offer.

"(h) EXTENSIONS.—The deadline described in paragraph (2) may be extended for any length of time, as agreed upon by both the Indian tribe and the Secretary.

"(i) DESIGNATED OFFICIALS.—

(A) IN GENERAL.—The Secretary shall designate one or more appropriate officials in the Department to receive a copy of the final offer described in paragraph (1).

(B) NO DESIGNATION.—If no official is designated, the Executive Secretariat of the Secretary shall designate one or more officials.

"(j) NO TIMELY DETERMINATION.—Except as otherwise provided in section 202 of the Department of the Interior Tribal Self-Governance Act, if the Secretary fails to make a determination with respect to a final offer within the period specified in paragraph (2), the Secretary shall be deemed to have agreed to the final offer.

"(k) REJECTION OF FINAL OFFER.—

(A) IN GENERAL.—If the Secretary rejects a final offer (or one or more provisions of a final offer), the Secretary shall—

(i) provide timely written notification to the Indian tribe that contains a specific finding that clearly demonstrates, or that is supported by a controlling legal authority, that—

(i) the amount of funds proposed in the final offer exceeds the applicable funding level as determined under section 106(a)(1);

(ii) the program that is the subject of the final offer is an inherent Federal function or is subject to an agreement or the Secretary under section 403(c).

(iii) the Indian tribe cannot carry out the program in a manner that would not result in significant danger or risk to the public health or safety, to natural resources, or to trust resources;

(iv) the Indian tribe is not eligible to participate in self-governance under section 402(e);

(v) the funding agreement would violate a Federal statute or regulation; or

(vi) with respect to a program or portion of a program included in a final offer pursuant to section 403(b)(2), the program or the portion of the program otherwise available to Indian tribes or Indians under section 102(a)(1)(E);

(ii) provide technical assistance to overcome the objections stated in the notification required by clause (i);

(iii) provide the Indian tribe with the right to engage in full discovery relevant to any issue raised in the matter; and

(iv) the opportunity for appeal on the objections raised (except that the Indian tribe may, in lieu of filing such appeal, directly proceed to initiate an action in a United States district court under section 110(a)(1)); and

(v) provide the Indian tribe the option of entering into the severable portions of a final proposed compact or funding agreement (including a lesser funding amount, if any), that, for Federal Bureau of Indian Affairs purposes, the Secretary did not reject, subject to any additional alterations necessary to conform the compact or funding agreement to the proposed provisions.

(B) EFFECT OF EXERCISING CERTAIN OPTION.—If an Indian tribe exercises the option specified in subparagraph (A), the Indian tribe may retain the right to appeal the rejection by the Secretary under this section; and

(i) clauses (i), (ii), and (iii) of subparagraph (A) apply only to the portion of the proposed final compact or funding agreement that was rejected by the Secretary.

"(l) BURDEN OF PROOF.—In any administrative action, hearing, or civil action brought under this section, the Secretary shall have the burden of proof—

(1) of demonstrating, by a preponderance of the evidence, the validity of the grounds for a reassessment under subsection (b); and

(2) of clearly demonstrating the validity of the grounds for rejecting a final offer made under subsection (c).

"(m) GOOD FAITH.—

(1) IN GENERAL.—In the negotiation of compact terms, the Secretary shall at all times negotiate in good faith in order to maximize implementation of the self-governance policy.

(2) POLICY.—The Secretary shall carry out this title in a manner that maximizes the policy of tribal self-governance.

"(n) SAVINGS.—

"(1) IN GENERAL.—To the extent that programs carried out for the benefit of Indian tribes and tribal organizations under this title reduce the administrative or other responsibilities of the Secretary with respect to the operation of Indian programs and result in savings that have not otherwise been included in the amount of tribal shares and other savings described in section 402(c), except for funding agreements entered into for programs under section 402(c), the Secretary shall make such savings available to the Indian tribes or tribal organizations for the provision of additional services to program beneficiaries in a manner equitable to directly served, contracted, and compacted programs.

"(2) DISCRETIONARY PROGRAMS OF SPECIAL SIGNIFICANCE.—For any savings generated as a result of the operation of the program by an Indian tribe under section 402(c), such savings shall be made available to that Indian tribe.

"(o) TRUST RESPONSIBILITY.—The Secretary may not waive, modify, or diminish in any way the trust responsibility of the...
United States with respect to Indian tribes and individual Indians that exist under treaties, Executive orders, other laws, or court decisions.

**Secretary under the National Environmental compact or funding agreement duties of the American Indian tribe.**—A decision that constitutes final agency action and relates to an Indian tribe is subject to appeal if the decision is the subject of the appeal was made; or

(2) an administrative law judge.

(b) CONSTRUCTION—Subject to section 202 of the Department of the Interior Tribal Self-Governance Act of 2015, each provision of each compact or funding agreement shall be liberally construed for the benefit of the Indian tribe participating in self-governance, and any ambiguity shall be resolved in favor of the Indian tribe.

**Section 407. Construction Programs and Projects.**

(a) In General.—Indian tribes participating in tribal self-governance may carry out construction projects under this title, except as otherwise provided in this Act.

(b) Certify Out of Federal Environmental Activities.—In carrying out a construction project under this title, an Indian tribe may, subject to the agreement with the Secretary, elect to assume some Federal responsibilities under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the National Historic Preservation Act (16 U.S.C. 470 et seq.), and related provisions of law and regulations that would apply if the Secretary were to undertake a construction project, by adopting a resolution—

(1) designating a certifying tribal official to represent the Indian tribe and to assume the responsibilities of a Federal official under those Acts or regulations; and

(2) accepting the jurisdiction of the United States courts for the purpose of enforcing the responsibilities of the certifying tribal official assuming the status of a responsible Federal official under those Acts or regulations.

(c) Savings Clause.—Notwithstanding subsection (b), nothing in this section authorizes the Secretary to include in any compact or funding agreement duties of the Secretary under the National Environmental Policy Act (42 U.S.C. 4321 et seq.), the National Historic Preservation Act (16 U.S.C. 470 et seq.), or any other provision of law that are inherent Federal functions.

(d) Codes and Standards.—In carrying out a construction project under this title, an Indian tribe shall—

(1) adhere to applicable Federal, State, local, and tribal building codes, architectural and engineering standards, and applicable Federal guidelines regarding design, space, and operational standards, appropriate for the particular project; and

(2) use only architects and engineers who—

(A) are licensed to practice in the State in which the facility will be built; and

(B) comply with—

(i) they are qualified to perform the work required by the specific construction involved; and

(ii) the completion of design, the plans and specifications meet or exceed the applicable construction and safety codes.

(e) Tribal Accountability.—

(1) In General.—In carrying out a construction project under this title, an Indian tribe shall assume responsibility for the successful completion of the construction project and of the facility that is funded for the purpose for which the Indian tribe received funding.

(2) Requirements.—For each construction project carried out by an Indian tribe under this title, the Indian tribe and the Secretary shall negotiate a provision to be included in the funding agreement that identifies—

(A) the approximate start and completion dates for the project, which may extend over a period of one or more years; and

(B) a general description of the project, including the scope of work, references to design criteria, and other terms and conditions.

(3) The responsibilities of the Indian tribe and the Secretary for the project; and

(D) how project-related environmental considerations; and

(4) the amount of funds provided for the project;

(F) the obligations of the Indian tribe to comply with the codes referenced in subsection (d)(1) and applicable Federal laws and regulations;

(6) the agreement of the parties over who will bear any additional costs necessary to meet changes in scope, or errors or omissions in design and construction; and

(7) the agreement of the Secretary to issue a certificate of occupancy, if requested by the Indian tribe, based upon the review and verification by the Secretary, to the satisfaction of the Secretary, that the Indian tribe has adhered to applicable Federal, State, and local building codes and regulations; and approval of the plans and specifications, sufficiency of design, life safety, and code compliance by qualified, licensed, and independent architects and engineers.

(f) Funding.—

(1) In General.—Funding appropriated for construction projects under this title shall be included in funding agreements as annual or semiannual advance payments at the option of the Indian tribe.

(2) Advance Payments.—The Secretary shall include all associated project contingency funds with each advance payment, and the Indian tribe shall be responsible for the management of such contingency funds.

(g) Negotiations.—At the option of the Indian tribe, construction project funding proposals shall be negotiated pursuant to the statutory process in section 106, and any resulting construction project agreement shall be incorporated into the funding agreement as an addendum.

(h) Federal Review and Verification.—

(1) In General.—On a schedule negotiated with the Indian tribe, the Secretary shall review and verify to the satisfaction of the Secretary, that project planning and design documents prepared by the Indian tribe in initial construction are in conformity with the obligations of the Indian tribe under subsection (d); and

(2) before the project planning and design documents are submitted to the Secretary, the Secretary shall review and verify to the satisfaction of the Secretary that subsequent document amendments which result in a significant change in scope, or errors or omissions in conformity with the obligations of the Indian tribe under subsection (d).

(i) Reports.—The Indian tribe shall provide the Secretary with progress reports and financial reports not less than semiannually.

(j) Oversight Visits.—The Secretary may conduct oversight project visits semiannually or more frequently if agreed to by the Secretary and the Indian tribe.

(k) Application of Other Laws.—Unless otherwise provided in a compact or funding agreement, or except as otherwise provided in this Act, no provision of the Office of Federal Procurement Policy Act (41 U.S.C. 401 et seq.), the Federal Acquisition Regulations issued pursuant to such Act, or any other law or regulation pertaining to Federal procurement (including Executive orders) shall apply to any construction program or project carried out under this title.

(l) Future Funding.—Upon completion of a facility constructed under this title, the Secretary shall include the facility among those eligible for annual operation and maintenance funding pursuant to subsection (c) if the facility is provided for similar facilities funded by the Department as annual appropriations are available and to the extent that the facility sufficiency of design, life safety, and code compliance by qualified, licensed, and independent architects and engineers.

(m) Application.—Notwithstanding any other provision of this section, section 202 of the Department of the Interior Tribal Self-Governance Act of 2015 applies to subsections (a) and (b) of this section.

**Section 408. Payment.**

(a) In General.—At the request of the governing body of an Indian tribe and under a funding agreement provided for in this Act, the Secretary shall provide funding to the Indian tribe to carry out the funding agreement.

(b) Advance Annual Payment.—At the option of the Indian tribe, a funding agreement shall provide for an advance annual payment to an Indian tribe.

(c) Amount.—

(1) In General.—Subject to subsection (e) and sections 403 and 405, the Secretary shall determine the amount of the funding agreement for programs in an amount that is equal to the amount that the Indian tribe would have been entitled to receive under contracts and grants under this Act (including amounts for direct program and contract support costs and, in addition, any funds that are specifically or functionally related to the provision by the Secretary of services and benefits to the Indian tribe or its members) without regard to the carryover provisions.

(2) Savings Clause.—Nothing in this section reduces programs, services, or funds, or title 2, to another Indian tribe.

(d) Timing.—

(1) In General.—Pursuant to the terms of any compact or funding agreement entered into under this title, the Secretary shall transfer to the Indian tribe all funds provided for in the funding agreement, pursuant to subsection (c), and provide funding for programs and grants covered by joint resolution adopted by Congress making continuing appropriations, to the extent permitted by such resolution.

(2) Reporting.—The Secretary shall, not later than one year after the date of enactment of the Department of the Interior Tribal Self-Governance Act of 2015, in any instance in which a funding agreement requires an annual transfer of funding to be made at the beginning of a fiscal year or requires semiannual or other periodic transfers of funding to be made commencing at the beginning of a fiscal year, report to the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate a report identifying the amount of each funding agreement that may provide for multiyear funding.

(e) Limitations on Authority of the Secretary.—In general, the Secretary shall not—

(1) fail to transfer to an Indian tribe its full share of any central, headquarters, regional, or area, service unit office or other Federal funds under this title that the programs eligible under paragraph (1) or (2) of section 408(b), except as required by Federal law;
"(2) withhold any portion of such funds for transfer over a period of years; or

"(3) reduce the amount of funds required under this title—

"(A) to make funding available for self-governance monitoring or administration by the Secretary;

"(B) in subsequent years, except as necessary to as a result of—

"(i) a reduction in appropriations from the previous fiscal year for the program to be included in a compact or funding agreement;

"(ii) a congressional directive in legislation or an accompanying report;

"(iii) a tribal authorization;

"(iv) a change in the amount of pass-through funds to the terms of the funding agreement; or

"(v) completion of an activity under a program for which the funds were provided;

"(C) to pay for Federal functions, including—

"(i) Federal pay costs;

"(ii) Federal employee retirement benefits;

"(iii) Federal housing;

"(iv) technical assistance; and

"(v) monitoring of activities under this title; or

"(D) to pay for costs of Federal personnel displaced by self-determination contracts under this Act or self-governance under this title.

"(h) FEDERAL RESOURCES.—If an Indian tribe elects to carry out a compact or funding agreement with the use of Federal personnel (including those personnel available from Federal warehouse facilities), Federal supply sources (including lodging, airl ine transportation, and other means of transportation), including the use of inter-agency motor pool vehicles), or other Federal resources (including supplies, services, and resources available to the Secretary under self-determination or self-governance contracts in which the Department is eligible to participate), the Secretary shall, as soon as practicable, acquire and transfer such personnel, supplies, or resources to the Indian tribe under this title.

"(1) PROMPT PAYMENT ACT.—Chapter 39 of title 2, United States Code, shall apply to the transfer of funds due under a compact or funding agreement authorized under this title.

"(2) INTEREST OR OTHER INCOME.—

"(1) IN GENERAL.—An Indian tribe may retain interest or income earned on any funds paid under a compact or funding agreement to carry out governmental purposes.

"(2) NO EFFECT ON OTHER AMOUNTS.—The retention of interest or income under paragraph (1) shall not diminish the amount of funds an Indian tribe is entitled to receive under this title unless otherwise agreed by the parties to an applicable funding agreement.

"(j) INTEREST OR OTHER INCOME.—

"(1) IN GENERAL.—An Indian tribe shall not be obligated to continue performance that requires an expenditure of funds in excess of the amount of funds transferred under a compact or funding agreement if such expenditure is insufficient to provide reasonable notice of such insufficiency to the Secretary.

"(k) CARRYOVER OF FUNDS.—If, after notice under paragraph (2), the Secretary does not increase the amount of funds transferred under the funding agreement, the Indian tribe may suspend performance of the activity until such time as additional funds are transferred.

"(l) LIMITATION OF COSTS.—

"(1) IN GENERAL.—An Indian tribe shall not be obligated to continue performance that requires an expenditure of funds in excess of the amount of funds transferred under a compact or funding agreement if such expenditure is insufficient, the Indian tribe shall provide reasonable notice of such insufficiency to the Secretary.

"(2) NOTICE OF INSUFFICIENCY.—If at any time the Indian tribe has reason to believe that the total amount provided for a specific activity under a compact or funding agreement is insufficient, the Indian tribe shall provide reasonable notice of such insufficiency to the Secretary.

"(m) SAVINGS CLAUSE.—Nothing in this section reduces any programs, services, or funds of, or provided to, another Indian tribe.

"(n) APPLICABILITY.—Notwithstanding any other provision of this section, section 202 of the Department of the Interior Tribal Self-Governance Act of 2015 applies to subsections (a) through (m).

"SEC. 409. FACILITATION.

"(a) IN GENERAL.—Except as otherwise provided by law including section 202 of the Department of the Interior Tribal Self-Governance Act of 2015, the Secretary shall interpret each Federal law and regulation in a manner that permits each Indian tribe to carry out governmental purposes.

"(b) REGULATION WAIVER.—

"(1) REQUEST.—An Indian tribe may submit to the Secretary a written request for a waiver of applicability of a Federal regulation, including—

"(A) an identification of the specific text in the regulation sought to be waived; and

"(B) the basis for the request.

"(2) DETERMINATION BY THE SECRETARY.—Not later than 120 days after receipt by the Secretary and the designated officials under subparagraph (1), the Secretary shall approve or deny the requested waiver in writing to the Indian tribe.

"(c) EFFECT.—Each incorporated provision under subsection (a) shall—

"(1) have the same force and effect as if set out in full in this title;

"(2) supplement or replace any related provision in this title; and

"(3) before being submitted to Congress, be incorporated in any compact or funding agreement authorized under this Act.

"SEC. 411. DISCRETIONARY APPLICATION OF OTHER SECTIONS.

"(a) IN GENERAL.—Except as otherwise provided in section 102(c), at the option of a participating Indian tribe or Indian tribes, any of the provisions of this Act may be incorporated in any compact or funding agreement authorized under this Act.

"(b) EFFECT.—Each incorporated provision under subsection (a) shall—

"(1) be effective immediately; and

"(2) control the negotiation and resulting compact and funding agreement.

"SEC. 412. ANNUAL BUDGET LIST.

"The Secretary shall list, in the annual budget request submitted to Congress under section 1105 of title 31, United States Code, any funds proposed to be included in funding agreements authorized under this Act.

"SEC. 413. REPORTS.

"(a) IN GENERAL.—On January 1 of each year, the Secretary shall submit to Congress a report regarding the administration of this title.

"(b) ANALYSIS.—Any Indian tribe may submit to the Office of Self-Governance and to the appropriate Committees of Congress a detailed annual analysis of unmet tribal needs for funding agreements under this title.

"(c) CONTENTS.—The report under subsection (a) shall—

"(1) be compiled from information contained in funding agreements, annual audit reports, and data of the Secretary regarding the disposition of Federal funds;

"(2) identify—

"(A) the relative costs and benefits of self-governance;

"(B) with particularity, all funds that are specifically or functionally related to the provision by the Secretary of services and benefits to self-governance Indian tribes and members of Indian tribes;

"(C) the funds transferred to each Indian tribe and the corresponding reduction in the Federal employees and workload; and

"(D) the funding formula for individual tribes or all Federal funds, together with the comments of affected Indian tribes, developed under subsection (d);

"(2) before being submitted to Congress, be distributed to the Indian tribes for comment (with a comment period of no less than 30 days);
“(4) include the separate views and comments of each Indian tribe or tribal organization; and”

“(5) include a statement—

“(A) all such programs that the Secretary determines, in consultation with Indian tribes participating in self-governance, are eligible for negotiation to be included in a funding agreement; and

“(B) the requirements and policies of this title.”

“(1) MEMBERSHIP.—A negotiated rule-making committee established pursuant to section 565 of title 5, United States Code, to carry out this section shall have as its membership only representatives of the Federal Government and tribal government.

“(2) LEAD AGENCY.—Among the Federal representatives described in paragraph (1), the Office of the Secretary shall be the lead agency for the Department.

“(c) ADAPTATION OF PROCEDURES.—The Secretary shall adapt the negotiated rule-making procedures to the unique context of self-governance and the government-to-government relationship between the United States and Indian tribes.

“(d) EFFECT.—

“(1) REPEAL.—The Secretary may repeal any regulation that is inconsistent with this Act.

“(2) CONFlicting PROVISIONS.—Subject to section 202 of the Department of the Interior Tribal Self-Governance Act of 2015, this title shall supersede any conflicting provision of law (including any conflicting regulations).

“(3) EFFECTIVENESS WITHOUT REGARD TO REGULATIONS.—The lack of promulgated regulations on any program does not limit the effect or implementation of this title.

“SEC. 415. EFFECT OF CIRCULARS, POLICIES, MANUALS, GUIDANCE, AND RULES.

“Unless expressly by a participating Indian tribe in a compact or funding agreement, the participating Indian tribe shall not be subject to any agency circular, policy, manual, guidance, or rule adopted by the Department, except for—

“(1) the eligibility provisions of section 108(g); and

“(2) regulations promulgated pursuant to section 414.

“SEC. 416. APPEALS.

“As except as provided in section 406(d), in any administrative appeal, or civil action for judicial review of any decision made by the Secretary under this title, the Secretary shall have the burden of proof of demonstrating by a preponderance of the evidence—

“(1) the validity of the grounds for the decision; and

“(2) the consistency of the decision with the requirements and policies of this title.

“SEC. 417. APPLICATION OF OTHER PROVISIONS.

“Section 314 of the Department of the Interior and Related Agencies Appropriations Act, 1998 (Public Law 105–78; 115 Stat. 1609), shall apply to compacts and funding agreements entered into under this title.

“SEC. 418. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated such sums as are necessary to carry out this title.”

“SEC. 202. EFFECT OF CERTAIN PROVISIONS.

“(a) DEFINITIONS.—In this section:

“(1) FUNDING AGREEMENT.—The term ‘funding agreement’ means a funding agreement entered into under section 403 of the ISDEAA (25 U.S.C. 458cc(b)(2)) or a funding agreement under section 403(b)(2) or 403(c) of the ISDEAA (25 U.S.C. 458cc(b)(2), 458cc(c)), or

“(2) ISDEAA.—The term ‘ISDEAA’ means the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.).

“(b) AUTHORITY.—The term ‘non-BIA program’ means all or a portion of a program, function, service, or activity that is administered by any bureau, service, office, or agency of the Department of the Interior other than through—

“(A) the Bureau of Indian Affairs;

“(B) the Office of the Assistant Secretary for Indian Affairs; and

“(C) the Office of the Special Trustee for American Indians.

“(c) LEAD AGENCY.—The term ‘Secretary’ means the Secretary of the Interior.


“(e) TRIBAL WATER RIGHTS SETTLEMENT.—The term ‘tribal water rights settlement’ means any settlement, compact, or other agreement expressly ratified or approved by an Act of Congress that—

“(A) includes an Indian tribe and the United States as parties; and

“(B) quantifies or otherwise defines any water right of the Indian tribe.

“(f) EFFECT OF PROVISIONS.—Nothing in this Act—

“(1) modifies, limits, expands, or otherwise affects—

“(A) the authority of the Secretary, as provided under the ISDEAA; or

“(B) quantifies or otherwise defines any water right of the Indian tribe.

“(g) IMPLEMENTATION.—Nothing in this Act—

“(1) modifies, limits, expands, or otherwise affects—

“(A) the authority of the Secretary, as provided under the ISDEAA; or

“(B) quantifies or otherwise defines any water right of the Indian tribe.

“SA 1472. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. McCaIN and intended to be proposed to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

“At the end of subtitlE E of tItlE VIII, add the following:

“SEC. 884. EXCEPTION FOR ABILITYONE GOODS FROM REQUIREMENT TO PURCHASE GOODS AND SERVICES MANUFACTURED IN AFGHANISTAN, CENTRAL ASIAN STATES, AND AFGHANU:

“(a) EXCLUSION OF CERTAIN ITEMS NOT MANUFACTURED IN AFGHANISTAN.—Section 886 of the National Defense Authorization Act for Fiscal Year 2008 (10 U.S.C. 2302 note) is amended—

“(1) in subsection (a), by inserting ‘‘and except as provided in subsection (d),’’ after ‘‘subsection (b),’’; and

“(2) by adding at the end the following new subsection:

“(d) EXCLUSION OF ITEMS ON THE ABILITYONE PROCUREMENT CATALOG.—The requirement of this section shall not apply to any good that is contained in the procurement catalog described in section 8503(a) of title 41.”
June 2, 2015
CONGRESSIONAL RECORD — SENATE S3629

(b) EXCLUSION OF CERTAIN ITEMS NOT MANUFACTURED IN CENTRAL ASIAN STATES.—Section 801 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84) is amended—

(1) in subsection (a), by inserting “and except as provided in subsection (b),” after “subsection (b),”; and

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

“(b) EXCLUSION OF ITEMS ON THE ABILITYONE PROCUREMENT CATALOG.—The requirements of this section shall not apply to any good that is contained in the procurement catalog described in section 8503(a) of title 41.”.

(c) EXCLUSION OF CERTAIN ITEMS NOT MANUFACTURED IN DJIBOUTI.—Section 1263 of the Defense Appropriations Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3581) is amended—

(1) in subsection (b), by inserting “and except as provided in subsection (g),” after “subsection (c),”; and

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

“(g) EXCLUSION OF ITEMS ON THE ABILITYONE PROCUREMENT CATALOG.—The requirements of this section shall not apply to any good that is contained in the procurement catalog described in section 8503(a) of title 41.”.

SA 1473. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. MCCAIN and intended to be proposed to the bill H.R. 1735, to authorize appropriations for Department of Defense and for military construction; and for military activities of the Department of the Treasury, for the fiscal year ending September 30, 2016, and for such purposes as may be necessary to carry out operations under this section.

SA 1474. Mr. COONS submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. MCCAIN and intended to be proposed to the bill H.R. 1735, to authorize appropriations for Department of Defense and for military construction; and for military activities of the Department of the Treasury, for the fiscal year ending September 30, 2016, and for such purposes as may be necessary to carry out operations under this section.

SA 1475. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. MCCAIN and intended to be proposed to the bill H.R. 1735, to authorize appropriations for Department of Defense and for military construction; and for military activities of the Department of the Treasury, for the fiscal year ending September 30, 2016, and for such purposes as may be necessary to carry out operations under this section.

SA 1476. Mr. COONS submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. MCCAIN and intended to be proposed to the bill H.R. 1735, to authorize appropriations for Department of Defense and for military construction; and for military activities of the Department of the Treasury, for the fiscal year ending September 30, 2016, and for such purposes as may be necessary to carry out operations under this section.

SA 1477. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. MCCAIN and intended to be proposed to the bill H.R. 1735, to authorize appropriations for Department of Defense and for military construction; and for military activities of the Department of the Treasury, for the fiscal year ending September 30, 2016, and for such purposes as may be necessary to carry out operations under this section.

SA 1478. Mr. STITTMAN submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. MCCAIN and intended to be proposed to the bill H.R. 1735, to authorize appropriations for Department of Defense and for military construction; and for military activities of the Department of the Treasury, for the fiscal year ending September 30, 2016, and for such purposes as may be necessary to carry out operations under this section.

SA 1479. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. MCCAIN and intended to be proposed to the bill H.R. 1735, to authorize appropriations for Department of Defense and for military construction; and for military activities of the Department of the Treasury, for the fiscal year ending September 30, 2016, and for such purposes as may be necessary to carry out operations under this section.

SA 1480. Mr. COONS submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. MCCAIN and intended to be proposed to the bill H.R. 1735, to authorize appropriations for Department of Defense and for military construction; and for military activities of the Department of the Treasury, for the fiscal year ending September 30, 2016, and for such purposes as may be necessary to carry out operations under this section.

SA 1481. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. MCCAIN and intended to be proposed to the bill H.R. 1735, to authorize appropriations for Department of Defense and for military construction; and for military activities of the Department of the Treasury, for the fiscal year ending September 30, 2016, and for such purposes as may be necessary to carry out operations under this section.

SA 1482. Mr. COONS submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. MCCAIN and intended to be proposed to the bill H.R. 1735, to authorize appropriations for Department of Defense and for military construction; and for military activities of the Department of the Treasury, for the fiscal year ending September 30, 2016, and for such purposes as may be necessary to carry out operations under this section.
amounts authorized and appropriated to the Department of Defense, including amounts authorized to be appropriated for the Army National Guard and the Air National Guard.

“(C) ANNUAL BUDGET.—The President shall include the Fund established under subparagraph (A) in the budget that the President submits to Congress under section 300 of title 31, United States Code, for each fiscal year in which the authority under subsection (a) is in effect.”.

(e) ANNUAL REPORT.—Paragraph (2)(B) of section 2 of such section (as redesignated) is amended—

(1) in clause (iii), by inserting “or other government organizations” after “and security forces”; and

(2) in clause (iv), by adding at the end before the period the following: “and country”; and

(3) in clause (v), by striking “training” and inserting “activities”; and

(4) by adding at the end the following:

“(vi) An assessment of the extent to which the activities conducted during the previous year met the objectives described in clause (v).

“(vii) The list of core competencies required by subsection (c)(1) and any update to any category of core competencies required by subsection (c)(1).”.

(f) DEFINITIONS.—Subsection (h) of such section (as redesignated) is amended—

(1) in paragraph (1), by striking subparagraphs (A) and (B) and inserting the following:

“(A) the congressional defense committees; and

“(B) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.”;

(2) by redesignating paragraph (2) as paragraph (3);

(3) by inserting after paragraph (1) (as amended by the following)—

“(2) CORE COMPETENCIES.—The term ‘core competencies’ means military-to-military and military-to-civilian skills and capabilities of the National Guard, consistent with the roles and missions of the Armed Forces as established by the Secretary of Defense.”;

and

(4) by adding at the end the following:

“(4) STATE.—The term ‘State’ means each of the several States and the District of Columbia.

(5) TERRITORY.—The term ‘territory’ means the Commonwealth of Puerto Rico, Guam, and the Virgin Islands.”;

(g) PERMANENT AUTHORITY.—Such section is further amended by striking subsection (1).

SA 1475. Mr. DONNELLY (for himself, Mr. CRUZ, Mr. BLUNT, and Mr. LEARY) submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. MCCAIN and intended to be proposed to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XI, add the following:

SEC. 1106. TIERED PREFERENCE ELIGIBILITY FOR MEMBERS OF RESERVE COMPONENTS OF THE ARMED FORCES.

(a) PREFERENCE ELIGIBILITY FOR MEMBERS OF RESERVE COMPONENTS OF THE ARMED FORCES.—Section 2018 of title 5, United States Code, is amended—

(1) in paragraph (A) in subparagraph (G)(i)(I), by striking “and” at the end;

(B) in subparagraph (H), by adding “and” at the end; and

(C) by inserting after subparagraph (H) the following:

“(I) a qualified reservist;”;

(2) in paragraph (4), by striking “and” at the end;

(3) in paragraph (5), by striking the period at the end and inserting a semicolon; and

(4) by adding at the end the following:

“(6) ‘qualified reservist’ means an individual who is a member of a reserve component of the Armed Forces on the date of the applicable determination—

“(A) who—

“(i) has completed at least 6 years of service in a reserve component of the Armed Forces; and

“(ii) in each year of service in a reserve component of the Armed Forces, was credited with at least 50 points under section 12732 of title 10; or

“(B) who—

“(i) has completed at least 10 years of service in a reserve component of the Armed Forces; and

“(ii) in each year of service in a reserve component of the Armed Forces, was credited with at least 100 points under section 12732 of title 10; and

“(C) by inserting after subparagraph (H) the following:

“(ii) in each year of service in a reserve component of the Armed Forces, was credited with at least 150 points under section 12732 of title 10; and

“(D) in subparagraph (G)(iii), by striking “training” and inserting “activities”;

and

(2) by redesignating paragraph (2) as paragraph (3);

(3) in paragraph (5), by striking “and” at the end and inserting a semicolon; and

(4) by adding at the end the following:

“(v) An assessment of the extent to which the activities conducted during the previous year met the objectives described in clause (v).

“(vii) The list of core competencies required by subsection (c)(1) and any update to any category of core competencies required by subsection (c)(1).”.

(f) DEFINITIONS.—Subsection (h) of such section (as redesignated) is amended—

(1) in clause (iii), by striking subparagraphs (A) and (B) and inserting the following:

“(A) the congressional defense committees; and

“(B) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.”;

(2) by redesignating paragraph (2) as paragraph (3);

(3) by inserting after paragraph (1) (as amended by the following)—

“(2) CORE COMPETENCIES.—The term ‘core competencies’ means military-to-military and military-to-civilian skills and capabilities of the National Guard, consistent with the roles and missions of the Armed Forces as established by the Secretary of Defense.”;

and

(4) by adding at the end the following:

“(4) STATE.—The term ‘State’ means each of the several States and the District of Columbia.

(5) TERRITORY.—The term ‘territory’ means the Commonwealth of Puerto Rico, Guam, and the Virgin Islands.”;

(g) PERMANENT AUTHORITY.—Such section is further amended by striking subsection (1).

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on June 2, 2015, at 10 a.m., in room SD–366 of the Dirksen Senate Office Building.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on June 2, 2015, at 10 a.m., in room SD–215 of the Dirksen Senate Office Building, to conduct a hearing entitled “Internal Revenue Service Data Theft Affecting Taxpayer Information.”

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

COMMITTEE ON FOREIGN RELATIONS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on June 2, 2015, at 10 a.m., in room SD–253 of the Russell Senate Office Building, to conduct a hearing entitled “Understanding Iran’s Nuclear Program.”

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on June 2, 2015, at 2 p.m., to conduct a hearing entitled “The IRS Data Breach: Steps to protect Americans’ Personal Information.”

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. CORNYN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on June 2, 2015, at 9:30 a.m., in room SR–253 of the Russell Senate Office Building to conduct a Subcommittee hearing entitled “LifeLine: Improving Accountability and Effectiveness.”

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

SIGNING AUTHORITY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that during today’s session of the Senate, the junior Senator from Montana be authorized to sign duly enrolled bills or joint resolutions.

The PRESIDING OFFICER. Without objection, it is so ordered.
CONGRESSIONAL RECORD — SENATE

EXECUTIVE SESSION

NOMINATION OF MICHAEL KEITH YUDIN TO BE ASSISTANT SECRETARY FOR SPECIAL EDUCATION AND REHABILITATIVE SERVICES, DEPARTMENT OF EDUCATION

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nomination: Calendar No. 79; that the Senate proceed to vote without intervening action or debate; that the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; that the President be immediately notified of the Senate’s action, and the Senate then resume legislative session.

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

The clerk will report the nomination.

The legislative clerk read the nomination of Michael Keith Yudin, of the District of Columbia, to be Assistant Secretary for Special Education and Rehabilitative Services, Department of Education.

The PRESIDING OFFICER. Is there further debate?

If not, the question is, Will the Senate advise and consent to the nomination of Michael Keith Yudin, of the District of Columbia, to be Assistant Secretary for Special Education and Rehabilitative Services, Department of Education?

The nomination was confirmed.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

ORDERS FOR WEDNESDAY, JUNE 3, 2015

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Wednesday, June 3; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time of the two leaders be reserved for their use later in the day; that following leader remarks, the Senate be in a period of morning business until 11 a.m., with Senators permitted to speak therein, and the time be equally divided, with the majority controlling the first half and the minority controlling the final half.

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

ORDER FOR ADJOURNMENT

Mr. McCONNELL. If there is no further business to come before the Sen-
BRIAN S. KNOWLES
JOHN N. KOCHENDOERFER
JUSTIN A. KURI
PAUL S. LANZELLOTTA
JOSHUA C. LINDSPECTRA
ERIC C. LINDSFORD
MARCUS A. LIRE
SCOTT C. LUES
RAN S. Lynch
DANIEL P. MALATISTA
DONALD W. MARKS
RAYMOND B. R. MARSH II
MICHAELE A. MARSTON
CRAIG A. MATTHIAS
EARL L. McDOOWELL
LAWRENCE E. MEHRE
MICHAELE W. MEREDITH
RICHARD M. MAYER
ANDREW S. MILLER
ANDREWE T. MILLER
MICHAEL J. MILLER
PHILLIP S. MILLER
JOHN K. MONTOY
MEFREAN P. MORRIS
MARTIN A. MUCKL
NICHOLAS A. MUNAG
WILLIAM J. M. MURPHY
SEAN A. MUSHEL
DAVID D. NEAL
CHADWICK E. M. NELSON
MARK A. NICHOLSON
MATTHIAS C. NVESKI
PITRIK N. NILSEN
DANIEL A. NOFFICK
MICHAEL B. ODRISCOLL
GERALD R. OROLO II
CHRISTopher P. PARKS
CHASH D. PATRICK
CHRISTOPHER L. PESLE
ROBERT R. PETERS
ANDREW J. F. PETERSON III
TRAVIS M. PETERZOLT
PAUL W. PFEIFFER
MATTHEW A. PFLIPPS
GELL T. L. PITTMAN III
TIMOTHY C. POOLE
BARTLEY A. RANDALL
WILLIAM M. REED
LINCOLN M. REILSTOCK
RICHARD G. J. RENNER
FRANK A. RHOADES IV
MATTHEW S. RICK
JACKSON S. SCHAFER
JACKSON L. SEIDNER
KEVIN P. SCHULTZ
JOHN M. SEG
CHRISTOPHER M. SEMINSKO
ERIC L. SIEVERSEIK
WILLIAM M. SHAFLEY III
BLAINE T. SHEARON
THOMAS A. SHEPPARD
WILLIAM M. SHIBBON
THOMAS R. SHULTZ
RENAWDA A. SHUPP
CAI A. NICOLA
CLINSTON T. SMITH
EDWARD B. SMITH
GABRIEL B. SOLTERO
BENJAMIN N. SPENCER
LOUIS J. SPRINGER
BRAD L. STALLINGS
CHRISTOPHER D. STONE
BRENT M. STRONG
LANE E. THOMPSON
JASON P. VELEVICH
MICHAEL R. VITALI
ALEKS L. T. WALKER
WAYNE C. WALL
CHARLES D. WASHINGTON
MICHAEL J. WRAIR
BRIAN D. WEISS
CHRISTOPHER A. WESTPHAL
TODD B. WHALEN
JENNIFIR L. WHEREATT
JENNIFER W. WILHELM
CHRISTIAN B. WILLIAMS
CAID A. WORTHLEY
STACEY W. YOFF
FORREST A. YOUNG
TIMOTHY H. YOUNG
GREGORY M. ZETTLER
DAVID D. ZOOKE
THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624.

GARTH R. GIMMESTAD
LESTER L. IGAA
JASON M. JENGINS
DIEMITRAS D. MACK
KATHERINE L. MARONEY
THOMAS J. MCKNIN
MARK G. MORA
ROBERT L. MORA
JAMIE D. PAPPENHORST
RICHARD B. SCHEIT
MARCO D. SPIVEY
GEOFFREY T. URINA
MARK C. WADSWORTH, JR.

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624.

DAVID A. BACKER
CARL T. BIGGS
LAWRENCE BRANDON, JR.
JAMIE M. BURDA
WILLIAM B. CLEVELAND, JR.
CHRISTOPHER T. CLOOFILTER
JOSHDARCY
ETHAN R. FIEGEL
FRANKLIN J. GASPERETTI
JONATHAN S. GIBBS
CHRISTOPHER J. HALL
SAMAUEL B. HALLOCK
DAVID G. HATTON
ROSEMARY M. HARDY
WILLIAM E. HASKELL
SHAUN P. HAYES
BRIAN D. HEBBEL
RICHARD L. HILL
JOSHDARCY
ANDREW M. LAVALLEY
CLINTON T. LAWLER
JOHN A. LUKACS IV
ANDREW P. MAURICE
MARK A. MINTON
JESSE E. NICE
BRIAN T. PETERSON
BRIAN R. PHILLIPS
KLAR B. RIVERINO
MARK A. SCHUERMANN
LUIS F. SCHUL
PAUL L. STENSON
JASON D. TUTTLE
SCOTT E. WILLIAMS
THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624.

ANTONIO ALEMAR
KYLE N. BOCHEY
JOSHUA R. CALLOWAY
JON A. CARDONA
GREGORY M. MARKINS
ELIZABATH A. HERNANDEZ
HERIN T. JAMIN
SHAUN P. LYNCH
DANIELL P. MARTIN
BISHIR F. MUFFT, JR.
DAVID R. PAXTON
DANIEL C. SHORT
ROGER F. PENTON
JAMIE G. TREVORNO
JOH N. WALES
JOHN B. YOUNG III

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624.

LYLIE P. AINSWORTH
KEVIN D. ALLISON
ERIC C. EDGE
VICTOR M. FEAL, JR.
CLAYTON B. MASSEY
MARIA C. MCBRYAN
CLAUDIO R. TAYLOR III
JUAN C. VARELA

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624.

KARIN L. ABBOTT
PATRICK R. ADAMS
Vladimir A. ABEY
ROBERT R. BILBERG, JR.
JUSTIN D. BOOS
RAJA G. BOURBON
JESSICA Y. CAI
BRIAN J. CAVENDISH, JR.
RAMON L. MEDINA
CONSTANTINE N. PANAYRIOU
TAYLOR R. ROSS
HENRY T. SCHRADER
MATTIGH G. SUPIC
THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624.

HAROLD L. ADAMS
JACQUELYN R. ADAMS
KATHERINE M. BEELDSCOFF
BRANDON M. BOGGS
MARK B. BROWN
JEFFREY A. BRYAN
SCOTT W. PARKER
FRANK D. PRICE, JR.
MIKE E. STAVIT

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624.

AUDREY L. ADAMS
DANIEL S. BARRENS
RICHARD G. BENSING
MARK L. BOGGS
SCOTT L. CONE
BRIAN CONNET
RICHARD R. ELLISON III
DOROTHY A. FENTON
ANDREW P. GRABUS
MICHAEL J. HEERANS
CLAY B. CLEVELAND
LUCAS J. HODGINS
MITTY D. HODGINS
JASON B. HOMER
KENNETH W. JENNY, JR.
LOMUEL S. LAWRENCE
MICHAEL D. MACAFFE
ZACHARY D. McGERSHE
PAUL N. MCKELVEY
DAVID M. McKEEVER
SHELTER A. MORGES
MATTHEW S. MORGAN
TOSHIANO A. MURPHY
JOHN J. NELSON
STEVEN J. SOLLON
WILLIAM E. T. TROWER
CRAGA W. WIGHTMAN
JEREL A. YATES

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624.

EUGENIA D. ALBER
EDWIN L. BERGOSOWITZ
IAN A. BIRD
BOBBY T. CARMICHA
MATTTHW J. CROUSELKE
MELISSA M. CLARJAY
WILFLEDO CRUZBRAZ
ERICA DOBES
CHRISTOPHER J. GOODSON
CHRISTINA M. HOLLOW
JAMIE L. HILL
CHRISTINA KINNS
MICHAEL B. KELLEY
AARON M. LITTLEJOHN
KIRSHNER J. M. KIMM
SEAN P. GLOHNI
OSCAR W. SIMMONS IV
DAVID C. WEST
MICHAEL R. WIDMA
DANIELL S. WILLIAMS
KENYA D. WILLIAMSON
THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624.

ALLAN M. BAKER
KARL L. BEHNDR
JONATHAN V. BERGIS
AMANDA M. BORGEN
ANDREW W. BOYDEN
LISA M. BRENKEN
ERICT P. CRESNER
ALFRED J. CORKMAN III
MITCHELL C. WALLACE
CAMILA L. GASPERS
D. A. GRAY
STUART A. GREEN
MIOGAN B. HALLADIN
ROBERT J. HAMILTON
MICHAEL A. HARRIG
BERT W. JOHNSTON
MEREDITH J. KEMP
DAVID S. BARNES
AUDREY G. ADAMS
DANIEL R. BARNE
SCOTT G. BESSENGER
KRISTEN W. BINSNE
SHELLEY D. CAPLAN
JACQUELYN C. CROOK
KATHERINE M. EIDMANN
BRANDON M. MCCULLAM
MARK M. MCGREGOR
JEFFREY A. PALMER
SCOTT W. PARKER
FRANK D. PRICE, JR.
MIKE E. STAVIT

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624.

ROBERT E. REATON

MARTIN T. LUNDQUIST
DONALD J. KENNEY
TIMOTHY F. KEETON
SCOTT F. HALLAUER
KEVIN M. COMSTOCK
JAMES W. CALEY
JAMES C. BAILEY
KERRY L. ABRAMSON
RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
KENNETH W. WAGNER
JENNIFER S. REED
LAURA M. MUSSULMAN
RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:
CAROL W. WATT
SHARON S. VETTER
SHERMA R. SAIF
DENNIS HOPKINS, JR.
ALBERT H. FU
JEFFREY M. CLARK
RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:
JOSEPH E. STRAUSS
MARK A. SCHMIDHEISER
DOUGLAS E. PETERSON
ROBERT N. MCLAY
MARGUERITE MCGUIGANSHUSTER
DAVID G. MALONE
CHRISTOPHER M. HULTS
BENJAMIN T. GRIFFETH
PATRICK B. GREGORY
WILLIAM G. FERNANDEZ
THOMAS A. DAMATO
DANIEL J. COMBS
STEPHEN W. BURGHER
CHARLES G. BRISENO, JR.
JAMES L. WILLETT
CLINT J. WAGGONER
STEPHEN M. VOSSLER
RICHARD A. THOUSAND
JOSEPH L. THOMPSON
RAUL SANTOSPIEVE
ERIC T. RUIZ
ANDREW R. RINCHETTI
MARSHALL G. RIGGALL
ROCKY B. PULLEY
DONALD B. PORTER
DARRIN P. PITRE
MARK A. PABON
ROSALIND D. MORRISON
MICHAEL L. MCDONOUGH
OMAR G. MARTINEZ
RODERICK V. LITTLE
MARK A. KENNEDY
ANTHONY W. HUGHES
ALEJANDRO W. GRIFFEN
JAMES F. FLINT
DAVID F. ETHERIDGE
JOHN F. CLARK
ALAN D. BEATY
June 2, 2015
THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
To be captain

CONGRESSIONAL RECORD — SENATE
S3633

CHRISTOPHER L. PHILLIPS
IAN K. THORNHILL
THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:
To be captain
TAMBERLYNN W. BAKER
DENNIS R. ELLIOTT
ROBIN D. GIBB
LINDA M. GINTERMAN
DENIS Y. HARBERG
CHRISTIAN T. HOGAN
ALAN K. MINTZ
ROLF MULDERBAKEN
MIHESLA L. RIONNE
ANGELICA W. THOMPSON
THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:
To be captain
SARAYOOT F. BAGWELL
MICHAEL R. BERRY, JR.
ROBERT G. BOH
DAVID A. BUESLER
STEWART D. CLARKE
ROBERT S. CARROLL
PHILIP L. COYLE
ANTHONY G. ECKERTSON
STEPHEN L. PALETTI
DAVID E. LUDWA
DANIELLE L. FELZER
JOSIAH M. ROGERS
ALAN J. SCHLOTTMEYER
KATHRYN M. WARREN
THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:
To be captain
GREGORY S. BROWN
DANIEL W. BROWN
CHRISTOPHER V. BROWN
JOSEPH D. BROGREN
WILBERT B. BREEDEN
JACOB F. BRAUN
JAMES P. BRASSFIELD
DESOBRY E. BOWENS
JON G. BOGER
MICHAEL D. BISHOP
JEREMIAH J. BINKLEY
PETER M. BERNARD
ALBERT L. BENOIT III
JOHN B. BENFIELD
MICHAEL A. BEMIS
ROBERT B. BEEMAN
MICHAEL S. BEATY
CHRISTIAN M. BEARD
MICHAEL A. BAXTER
JEREMY M. BAUER
ADRIAN C. BAREFIELD
PATRICK T. BAKER
MATTHEW P. BAKER
JOSHUA T. BAILEY
ALEXANDER T. BAERG
TIMOTHY P. ATHERTON
STEPHEN ANSUINI
JOHN K. ANDERSON
JASON D. ANDERSON
HOLMAN R. AGARD
MILTON W. WASHINGTON
JAMES A. ROBBINS
WILLIAM R. MOCK, JR.
DARYLL D. LONG
RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:
DAVID R. GLASSMIRE
TERRY W. EDDINGER
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:
KATHY M. WARREN
JOSE M. RODRIGUEZ
DANIELLE L. PELCZARSKI
STEPHANY L. HARTSTIRN
ANTHONY G. ERICKSON
RONALD R. COLEMAN
STEWART D. CLARKE
ROBERT G. BOH
MICHAEL R. BERRY, JR.
SARAVOOT P. BAGWELL
RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:
ROLF MULDBAKKEN
CHARLENE T. HOGAN
DENISE Y. HARRINGTON
DENISE R. ELLIOTT
TAMBERLYNN W. WASHINGTON
JAMES A. ROBBINS
WILLIAM R. MOCK, JR.
DARYLL D. LONG
RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:
THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
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THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:
CONGRESSIONAL RECORD — SENATE

June 2, 2015

IN THE MARINE CORPS

The following named officers for regular appointment in the grades indicated in the United States Marine Corps under title 32, U.S.C. Section 51:

To be lieutenant colonel

ROBERT P. AYERS

To be major

SEAN P. COX

JONATHAN M. GEORGE

SEAN P. COX

CONFIRMATION

Executive nomination confirmed by the Senate June 2, 2015:

DEPARTMENT OF EDUCATION

MICHAELEITHYUDEEANOFTHEDISTRICTOFCOLOMBIA

WITHDRAWAL

Executive Message transmitted by the President to the Senate on June 2, 2015, withdrawing from further Senate consideration the following nomination:

FOREIGN SERVICE NOMINATION OF STUART MACINTYRE HATCHER, WHICH WAS SENT TO THE SENATE ON MAY 7, 2015.
Mr. HUFFMAN. Mr. Speaker, I rise today in honor of Nan McEvoy, who passed away on March 26, 2015 at her home in San Francisco at the age of 95. A trailblazer and tour-de-force in every aspect of her life, Mrs. McEvoy left a lasting impact on family, friends, colleagues, and community.

Mrs. McEvoy occupies, in particular, a special place in the hearts of Marin County residents. Along with serving as Chairwoman of the San Francisco Chronicle, a leader in several philanthropic causes, and a lifelong advocate for women’s rights, Mrs. McEvoy also ran an olive farm near Petaluma. Originally intended as a getaway for her family to experience the beauty Northern California offers, McEvoy Ranch today produces high-quality oils and body care products for specialty stores across the nation.

While Mrs. McEvoy’s time in Marin represents just a slice of her collective achievements, it’s apt metaphor for the remarkable life she led. When she first proposed the idea to grow olives, people told her that it wouldn’t work—that she should use the land for cattle, perhaps. She ignored her critics, and moved forward with her original plan. Today, McEvoy Ranch now grows more than 18,000 trees and receives accolades from national media and local voices alike. In Mrs. McEvoy’s way, though, her efforts have not just proven successful financially, but also for our community as a whole. The ranch uses certified organic farming practices, produces its own compost, and—as of 2009—meets half its electrical needs with an on-site windmill, the first privately-owned turbine of its size in the county. Nan McEvoy was a leader in our community and a voice for the underserved. While her professional success was remarkable, it’s her passion for life and compassion for others that will endure. It is therefore appropriate that we pay tribute to her today and express our deepest condolences to her son and grandchildren.

Mr. SARBANES. Mr. Speaker, Barbara Lumpkins, a longtime champion for children with disabilities who spent many years as an activist for adoption for special needs children, passed away on May 24, 2015. In keeping with that deep commitment, she and her husband adopted four children into their family along with their two birth children. She was an active, consistent, positive, caring adult presence for children in the Irvington community since she and her family moved there in 1970. Her smile and her large heart will be greatly missed, but her presence will continue to be felt in the many people she supported and inspired over the years. Please join me in expressing sympathies and thanks to her family for this remarkable life.

Mr. DENT. Mr. Speaker, I want to acknowledge the two-day visit to the nation’s capital by administrators, faculty and students of Northampton Community College (NCC), which has three campuses in northeastern Pennsylvania. Led by President Dr. Mark Erickson, the delegation toured the U.S. Capitol and other historical sites throughout the city, and incorporated lessons on the benefits of being involved in government and advocacy.

Just Born Quality Confections in Bethlehem—makers of the popular Peeps and other delicious candies that are made in my District—was the lead sponsor of their trip. Other companies. Joining Dr. Erickson on the NCC trip were:

- Andreola, Brandon—Liberal Arts, Political Science—Effort, PA
- Barkdside, Karl—Secondary Education—East Stroudsburg, PA
- Berry, Stephen—Liberal Arts, Political Science—Kunkletown, PA
- Cimera, Rachel—Secondary Education—Bethlehem, PA
- Galarza, Jose—Biological Science—Easton, PA
- Garcia-Caro, Elisabet—Liberal Arts, Political Science—Allentown, PA
- Grifone, Patrick—Business Administration—Easton, PA
- Joseph, Fitzgerald—Biological Science—Henryville, PA
- Martinez, Brandy—Liberal Arts, Sociology—Blakeslee, PA
- Maxwell, Emmanuel—Biological Science—Easton, PA

HONORING OFFICER DAVID REED OF THE MONTGOMERY COUNTY POLICE DEPARTMENT

Mr. DELANEY. Mr. Speaker, I would like to recognize and honor Officer David Reed of the Montgomery County Police Department for his heroic actions in saving the life of an infant. Our police make it their job to protect our communities, a job that can require an officer to put their life on the line or to save somebody else’s. On May 8, Officer Reed’s work to protect and serve required split-second decision making, quick action, and extraordinary skill under pressure.
TRIBUTE TO THE SAN ELIZARIO HIGH SCHOOL EAGLES STATE CHAMPIONSHIP

HON. WILL HURD
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Mr. HURD of Texas. Mr. Speaker, I rise today to pay tribute to the San Elizario High School Eagles for their victory in the Texas Class 4A Boys State Soccer Championship. Hard work and dedication over the years led the Eagles to this victory and allowed them to finish out the season with eighteen wins, four losses and three ties. The journey started in 2009 and culminated on April 17, 2015, when the Eagles secured their win against the Liberty Hill Panthers with a 4 to 2 victory.

Eight years ago, the Eagles won sectional rounds, beating the state champs at Del Valle High School. The next year, they secured a district championship and Area title. Following a winning season, they earned three playoff trophies in 2013. With successes like these behind them, they went into this season with an unmatched drive to win. On that Friday in April, when the final score showed 4 to 2, the roar in the stands could be heard throughout the city. The wishes of good luck from citizens across San Elizario were received, and the Eagles delivered.

Our District expands from San Antonio to El Paso, and within its vast area lies San Elizario, home to 13,000. The city is beaming with pride for the team, the young men’s family and friends, and their high school. For every member of the team, there were countless community members supporting them in the stands as they went on to win game after game in the playoffs, culminating with the raising of the trophy. In a city with a small population, the Eagles have created a lasting legacy that will not be forgotten.

The Eagles’ level of excellence as a whole is a reflection of the individual players and their desire for success and dedication to hard work. Head Coach Max Sappenfield was able to lead the Eagles, and the young men demonstrated to him and each other the kind of teamwork worthy of a state championship. This victory is a result not only from talent, but also from hours spent on the field, the strategic planning behind each game, and fine tuning the skills of each player. The Eagles’ dedication to these sessions have truly paid off, and is a source of pride for the entire city and the 23rd Congressional District of Texas. It is my honor to represent San Elizario High School, and I wish continued success to the team and each of its members in their future endeavors.

HONORING CHRISTINA MILIAN

HON. PETE AGUILAR
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Mr. AGUILAR. Mr. Speaker, today I rise to honor the life and work of Christina Milian, a community activist and philanthropist from California’s Inland Empire. As a local business owner, Christina Milian’s dedication to her work and support of those around her in the San Bernardino and Rialto areas served as an inspiration to her friends, family, and neighbors.

While she was certainly an accomplished businesswoman, Christina Milian was most widely known for her selfless acts and devotion to local organizations. She was a philanthropist to the very core. Christina was an avid supporter and organizer for groups including Les Confrer Auxiliary, the Assistance League of San Bernardino, and the Inland Women Fighting Cancer.

While Christina is gone, her legacy and work will live on through the lives she touched. She was an inspiration to all who knew her. Christina will be dearly missed by her husband of thirty-five years, Arthur T. Milian; two sons Michael and Jonathan, grandchildren Isaiah, Ava and Caleb; her mother Juanita, her siblings Ray, Maryann and Carol; as well as the entire San Bernardo County community.

RECOGNIZING THE 85TH ANNIVERSARY OF PARSONS & ASSOCIATES, INC.

HON. JOHN KATKO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Mr. KATKO. Mr. Speaker, I rise today to recognize the 85th anniversary of Parsons & Associates, Inc. of Syracuse, New York. Established in 1930, Parsons & Associates, Inc. has grown to become a third-generation family business, insuring Syracuse’s businesses and families.

The company was founded by John C. Parsons upon his graduation from the University of Pennsylvania’s Wharton School of Business. The business began as a life insurance agency and now offers a complete range of insurance options.

I’m proud to recognize Parsons & Associates, Inc. for the long-standing success of their business. As the 24th District’s Parsons & Associates, Inc. epitomizes the strength and character of local, family-owned businesses across Central New York.

HONORING GLENN D. STEELE JR., MD, PHD

HON. TIM RYAN
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Mr. RYAN of Ohio. Mr. Speaker, I rise today to honor the life of my dear friend Mrs. Shirley A. Halbeisen. Mrs. Halbeisen was highly regarded in her community for her volunteerism at the Hayes Research Library, her dedication to her beauty salon, and most of all the love she possessed for her family and friends.

Mrs. Halbeisen was born in Riley Township in Sandusky County in 1928. She was a proud graduate of Clyde High School and attended Tiffin University in 1945, where she was trained in Civilian Employment for the Air Technical Service Command near the end of World War II. Following her training she worked for American Airlines in New York City until she returned to her home in Ohio. After successfully graduating from Fremont Beauty School, she opened her own business, Shirley’s Coiffures in Linder.

She married her dear husband, Bernard Henry Halbeisen, on September 27, 1947. In their fifty-five joyful years of marriage they
Mr. Thompson of Mississippi. Mr. Speaker, I rise to honor a public servant in the field of law enforcement, MSgt. Jeris Davis. Ms. Davis has recently been promoted to Master Sergeant within the Mississippi Highway Patrol. In this capacity he is assigned to the Mississippi Bureau of Narcotics and will miss most. She is survived by her five children, Rhonda, Veda, Renee, Brock, and Cana; her brother Thomas; her twelve great-grandchildren; and her ten great-grandchildren. Shirley was a beloved part of our community, and she will be deeply missed.

IN MEMORY OF CHRISTIAN R. LONG

HON. CHARLES W. DENT
OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. DENT. Mr. Speaker, I rise to recognize the life of Christian R. Long.

Unfortunately, but fittingly, Mr. Long passed away over the Memorial Day weekend, our solemn holiday for remembrance and recognition of the heroes who made the ultimate sacrifice for our freedom.

Mr. Long saw front-line service in Europe with the 44th Infantry Division during World War II. Raised in Lebanon County, which is home to many people of Pennsylvania German (Dutch) ancestry, Mr. Long was also assigned as a German-language interpreter. What could be more Pennsylvanian?

After the war, he was determined to learn a trade. He worked as a carpenter for over 40 years building and renovating homes and other properties for Carlos Adams in Hershey, Pennsylvania.

Mr. Long, who was known as "Christ" (pronounced "Krist"), was a lifetime member of The American Legion. He enjoyed gardening, hunting, fishing, and trapping. His carpentry skills and a love for the outdoors enabled him and his sons to buy land and build a hunting cabin, primarily using recycled building materials, in Sullivan County, Pennsylvania. He also built his own home, as well as constructed and renovated residences, decks and boat docks for his children.

Born on March 12, 1924 in Harpers, Pennsylvania, he was the son of the late Christian Long, Sr. and Mary Hoover Long. He grew up in Lawn, Pennsylvania. Mr. Long was a devoted father and husband; he and Pearl Weaver Long of Palmyra were married April 27, 1947 and she preceded him in death on January 14, 1995. They reared their family in Campbelle, Pennsylvania. He is survived by four children, seven grandchildren, five great grandchildren, six step-grandchildren and five great step-grandchildren.

Ronald Reagan aptly recognized in his first inaugural address that, "Those who say that we're in a time when there are no heroes, they just don't know where to look." Mr. Long was one of those everyday heroes who made our country the great nation it is today.
trains and acquired knowledge of expertise. Some of those assignments are: narcotic investigations, high level fugitive investigations and searches, and special homicide cases.

Mr. Speaker, I ask my colleagues to join me in honoring MSgt. Jeris Davis for his dedication and service as a public servant in the field of law enforcement. I am proud to have him as a resident of the Mississippi Second Congressional District.

CELEBRATING THE 300TH ANNIVERSARY OF THE BOROUGH OF CHATHAM

HON. RODNEY P. FRELINGHUYSEN
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to recognize a very special occasion for the Borough of Chatham, New Jersey. Located in Morris County, the Borough is celebrating the 300th Anniversary of its establishment.

Prior to the first colonial settlers arriving in the area in 1680, the Leni-Lenape Indians helped create trails that would eventually lead Europeans to the area in 1680. In 1715, a land transaction gave 1,200 acres to John Budd, a Philadelphia merchant who would farm the land. Just six years later, that same merchant owned all of the land of what today is the Borough of Chatham.

In 1773, the name Chatham was given to the village in honor of William Pitt, the first Earl of Chatham. During the Revolutionary War, Chatham played an instrumental role in the success of the Colonists. Not only did Chatham and surrounding towns help stop further westward British advancement, but it was also used to fool the enemy. General Washington constructed a full-scale base of operations including brick ovens large enough to appear to be able to bake 3,000 loaves of bread to feed the troops.

What is seen as the most important event in Chatham’s history occurred on September 14, 1837. This was when the first steam train of the Morris & Essex Railroad Company arrived in the Borough. This event improved both commerce and travel time to all towns along the line.

On March 1, 1897, Chatham became the first New Jersey village to become incorporated as a borough. The improvements of electric lights, water and sewage plants, installation of gas lines, and even the beautification efforts can be attributed to the first council of the Borough and its first Mayor, Frederick H. Lum. The Borough has continued to grow and flourish.

In 2005, Chatham was named “One of the Top Ten Places to Live in the United States” by Money Magazine. Chatham’s rich history and patriotic residents make Chatham Borough an extraordinary community in our nation.

Mr. Speaker, I ask you and my colleagues to join me in congratulating Chatham for its 300 year Anniversary of its establishment, and wish the Borough and its residents many more years of continued success and celebration.

HONORING THE TEXAS COUNTY MEMORIAL HOSPITAL

HON. JASON SMITH
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Mr. SMITH of Missouri. Mr. Speaker, I rise today to honor the Texas County Memorial Hospital in Houston, Missouri.

Texas County has reported 29 tornados since 1950, five in the last eight years. With this, the Texas County Memorial Hospital saw a great need for a way to protect citizens during severe weather, and a great opportunity with their hospital. From there, in 2013, the idea of a community safe room was born. After securing state and federal grants, as well as donations from community members, and just over a year and a half of construction, the project is complete and ready for use.

The safe room has 4,000 square feet of climate-controlled space that is designed to withstand 250 mile per hour winds and provide shelter for up to 452 people. The safe room will be great for the Houston area in times of emergency. Additionally, the safe room can be utilized as a meeting space during non-threatening weather times, which provides an even greater asset to the Houston community.

For the most part, the efforts of the community and other commitment to future safety, it is my pleasure to recognize the Texas County Memorial Hospital in Houston before the United States House of Representatives.

RECOGNIZING CDR KERWIN E. MILLER, USN (RET.)

HON. ELEANOR HOLMES NORTON
OF THE DISTRICT OF COLUMBIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Ms. NORTON. Mr. Speaker, I rise today to speak to a changing era in the District of Columbia. Tonight, at the Columbia Heights Education Campus, CDR Kerwin E. Miller, USNR, Ret., Chair of our District of Columbia Service Academy Selection Board, conducts his last Service Academy College ceremony as Chair for recognition of new appointees to the Service Academies and recruitment of District of Columbia high school students for future years. After 10 distinguished years of service as Chair, CDR Miller passes his baton to David P. Gragan, our current Vice Chair.

CDR Miller, a graduate of U.S. Naval Academy Class of ’75, joined the Service Academy Selection Board under my predecessor, Walter Fauntroy, in 1986. He has served during my congressional service since 1991 as a board member, as Vice-Chair, and since 2005, as chairman.

In those 10 years, CDR Miller has directed his formidable energies toward District of Columbia students, encouraging them to join him on the road leading to the inestimable opportunities afforded by an appointment to one of the five Service Academies of United States. During his service, CDR Miller has been an inspirational figure and a highly effective chair. Not long ago, for example, there were years in which few, if any, students from the D.C. public schools applied for the nominations. As always, we were pleased and proud to have our private and parochial school students. Tonight, D.C. will feast on a more diverse harvest of CDR Miller’s leadership as he and I present certificates of appointment to the U.S. Military, U.S. Naval, U.S. Coast Guard, and U.S. Air Force academies to nine D.C. students. Four of our appointees attended D.C. public schools and one attended a D.C. public charter school.

When CDR Miller becomes Chairman Emeritus of our Selection Board, he will not “retire.” In continued devotion to the Academies and to recruitment of the finest to serve, he will remain on our Service Academy Selection Board, and, in addition, he will work with the academies on an effort to increase Academy nominations from Congressional Black Caucus member districts. He will join with Academy graduates like Pat Locke, the first African-American woman to graduate from West Point, to help advise CBC members concerning recruitment of their constituents to take advantage of the educational and career opportunities offered by the Service Academies.

The District of Columbia is very fortunate that CDR Miller has not worked alone. He achieved his success in collaboration with the hard work of the other members of our Selection Board, David P. Gragan, USAFA ’77, Vice Chair, Timothy M. Ash, USAFA ’00, Lewis D. Baker, USMA ’91, Capt Holly D. Childs, USAFR, USAFA ’06, Lt Col Patrick Clawney, USAF (Ret), USAFA ’94, O.V. Johnson, Daniel J. Keenaghan, USMA ’00, George R. Keys, USAFA ’70, Past Chairman, Mr. Charles B. King, Ill, USMA ’94, Riaz K. Latifullah USMMA ’78, Laila Linares, USAFA ’06, Merita Carter, Pierpont Mobley, Ofc. James N. Frenemynder, DCMP, USMA ’05, Prof. Barbara J. Smith, Joel C. Spangenberg, USNA ’00, Michael B. Velasquez, USNA ’89, and Harry Wingo, USNA ’88.

Mr. Speaker, I ask my colleagues to join me in recognizing the outstanding service of CDR Kerwin E. Miller, in congratulating David Gragan on becoming Chair, and in thanking the members of our D.C. Service Academy Selection Board for their dedication and service to the District of Columbia, to the U.S. Service Academies and to the nation.

HONORING THE SERVICE OF MR. EARL J. MORRIS

HON. ANDY BARR
OF KENTUCKY
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Mr. BARR. Mr. Speaker, I rise today to recognize an outstanding individual. Mr. Earl J. Morris, of Owingsville, Kentucky, for his distinguished military service during World War II. Mr. Morris, a part of the greatest generation, served our nation in the United States Army. Mr. Morris left the comforts of home and family on November 6, 1944 for Camp Shanks, New York. He then boarded a ship and left for the European Theater of Operations. He served in Belgium, France, Holland, and Germany. His unit first engaged the Germans on Christmas Eve of 1944 in Bierl, Belgium. During the fighting in Europe, he and his fellow soldiers endured below zero temperatures, terrible snowstorms, hunger, fatigue, and heavy enemy fire. He fought in the Battle
of the Bulge in Belgium. In the Alsace Lorraine Sector of France, his unit fired across the Rhine into Germany and kicked the last Germans out of France. His 898th Division was awarded the French Coat of Arms for the Battle of the Colmar, one of the highest awards bestowed. After fighting in Holland, the 898th Division entered Germany, crossed the Rhine, and continued heavy fighting until the end of the war. His unit then began policing duty in Germany as the war ended in Europe.

The bravery of Mr. Morris and his fellow men and women of the United States Army is heroic. Because of the courage of individuals from Owingsville and from all across our great nation, our freedoms have been saved for our generation and for future generations. He is truly an outstanding American, a patriot, and a hero to us all.

HONORING REVEREND REGINALD BUCKLEY

HON. BENNIE G. THOMPSON
OF MISSISSIPPI
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable public servant, Pastor Reginald Buckley, who says that faith is about more than just Sunday morning worship—it seeps into daily life, economics and education.

Pastor Reginald Buckley, was born and raised in Jackson, where his father pastored at Cade Chapel Missionary Baptist Church, which held its first worship service in 1890. "It has historically and continues to have an eye toward social empowerment," he says.

Following his graduation from Lanier High School in 1990, he went to Tougaloo College and received a bachelor’s degree in English. He attended graduate school at the University of Illinois Champaign-Urbana and earned a master of arts degree in English literature in 1996.

For nine years, Buckley served as senior pastor of Second Baptist Church in Danville, Ill. While there, he also became president of the Iliana Christian Association and helped create relationships between congregations across Illinois and Indiana of different racial backgrounds.

In 2007, he brought all his experiences back home to Jackson and Cade Chapel, where he became executive pastor. And with those experiences, he brought a plan. "My vision is that we really begin to affirm the dignity of all experiences," he taught, and watched him grow to the point where he always made good decisions.

Pastor Buckley, a Kellogg Foundation fellow, wants to help people in practical and tangible ways; the most recent product being Cade Courtyard, an apartment complex for seniors on the Virden Addition community. The church has more plans for development in the area that include single-family housing and mixed-retail developments.

Along with his wife, Lecretia Buckley, he has two children: Jonathan and Anna. Mr. Speaker, I ask my colleagues to join me in recognizing Reverend Reginald Buckley for his dedication to serving others.

HONORING ROBERT OLIVIERI, PAST PRESIDENT OF PSAR

HON. JUAN VARGAS
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Mr. VARGAS. Mr. Speaker, I rise today to honor Robert Olivieri, the outgoing President of the Pacific Southwest Association of REALTORS, for his outstanding leadership in the South Bay region of San Diego County.

Robert Olivieri was born in Providence, Rhode Island and has been a resident of Chula Vista and Bonita for the past 30 years. Robert graduated from the University of Michigan with a B.S. in Engineering and went on to earn an MBA in Finance from the University of Phoenix. Robert holds a California Real Estate Broker’s License, a California Insurance Broker’s License, a Series 7 Securities License, and has been in the real estate business for over 20 years.

Robert has been an active broker and manager for several real estate offices in South San Diego County. Robert served the Pacific Southwest Association of REALTORS (PSAR) as their 2014 President. During his tenure, he focused on membership recruitment and retention, while also providing useful resources for members’ professional and personal growth. Robert has also served PSAR on their Board of Directors, as a California Association of REALTORS State Director, and as a member of the Community Involvement Committee and the Merger Steering Committee. Robert has been ranked by real estate tracking agencies as one of the top house selling agents, and in the top 7% of agents who sell homes for top dollar.

Robert and his wife, Marcia, are very involved in their community and help support Bonita Vista High School and Corpus Christi Parish.

PERSONAL EXPLANATION

HON. ROBERT PITTENGER
OF NORTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Mr. PITTENGER. Mr. Speaker, on Roll Call Votes #264, 265, 266 and 267. I am not recorded because I was absent from the U.S. House of Representatives. Had I been present, I would have voted in the following manner.

On Roll Call #264. Had I been present, I would have voted NAY.
On Roll Call #265. Had I been present, I would have voted NAY.
On Roll Call #266. Had I been present, I would have voted NAY.
On Roll Call #267. Had I been present, I would have voted YEA.

INTRODUCTION STATEMENT: HANDBUG TRIGGER SAFETY ACT

HON. CAROLYN B. MALONEY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I am honored to introduce today with Sen. Ed MARKEY the Handgun Trigger Safety Act—critical legislation to prevent accidental gun deaths. Based on legislation first proposed by my friend and former colleague Rep. John Tierney, I am humbled to continue this important effort to advance life-saving technology.

Personalized “smart gun” technology allows gun owners to designate authorized users who can operate the firearm while rendering it inoperable for all others. This technology prevents use by criminals who steal handguns as well as unintentional use by children.

The Centers for Disease Control and Prevention estimate that 591 Americans died from a firearm accident in 2011, including 74 children under 15 years old. The Personalized Handgun Safety Act would promote the adoption of technology we know can prevent these tragedies.

The Handgun Trigger Safety Act would mandate that within five years all newly manufactured handguns use personalized technology and within ten years all handguns sold or transferred are retrofitted with personalized “smart gun” technology. In addition, the bill would also provide for grants through the National Institute of Justice (NIJ) to develop and improve handgun personalization technology to simultaneously increase efficacy and decrease cost.

These new measures will make great strides in preventing accidental gun deaths by helping keep guns out of the wrong hands. I hope my colleagues will join me to support this important effort.

HONORING MR. ESSIE FROST

HON. BENNIE G. THOMPSON
OF MISSISSIPPI
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a young leader in his school who has raised the bar for students coming behind him, Mr. Essie Frost from Charleston High School in Tallahatchie County.

Charleston High School operates under the authority of the East Tallahatchie School District. The school district is a small one like many throughout my district. Nonetheless, and somehow they are able to make acceptable things happen despite having limited resources, which brings me to the reason why I want to recognize this young man. Ms. Melissa Faulkner, his teacher, has mentored, taught, and watched him grow to the point where he always made good decisions throughout high school, but in his senior year, he rose to a new height. That’s commendable as a young person.

We all have the ability to make a positive difference in life. Essie took the optimistic approach to helping his small school. He set
goals; he wanted the class of 2015 to leave a memorable existence. So, he became Class President to lead them to that goal. He was skilled in getting the students to follow his vision and set goals to be achieved as a whole. He often volunteered on community school projects, getting his fellow classmates to join. He told them that it is not only good for the school, but they will be known as the class who gave back, plus they can use it on their college application for community service. Essie led the charge to make their class prom what they envisioned and dreamed, saying they are responsible for making it happen. The school doesn't have a lot of money and prom is a privilege not a right. No one ever knew he had been raising the money for years on his own to go towards his prom. That is amazing for a young person to set a goal that far in advance, stick to it, and carry it out. I called that great resilience. According to his teacher, Ms. Faulkner and I quote, “This senior class has more than doubled what his previous class had managed to raise, all thanks to Essie’s determination, dedication, and careful planning.”

In addition to that, Essie crafted a plan to increase enrollment in the National Honor Society membership representation of the students at Charleston High School. His plan helped to increase enrollment from eighteen students, when he started, to now, thirty-six. The class goal was forty, they are almost there. Now that’s setting the bar again for the next class. I am proud to have Mr. Essie Frost as a citizen of the Second Congressional District of Mississippi.

Mr. Speaker, I ask my colleagues to join me in recognizing Mr. Essie Frost, Class of 2015, Charleston High School, Charleston, MS, for his current active role as a student making a difference. Keep the faith. Keep progressing Essie.

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**CELEBRATING THE 50TH ANNIVERSARY OF THE LINCOLN PARK EMERGENCY MEDICAL SERVICES SQUADRON**

**HON. RODNEY P. FREILINGHUYSEN OF NEW JERSEY**

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. FREILINGHUYSEN. Mr. Speaker, I rise today to congratulate the Lincoln Park Emergency Medical Services as they celebrate their 50th Anniversary. I also want to thank all of the men and women who have given so much to their community through their work on the EMS Squad.

Since May of 1965, the EMS Squadron in The Borough of Lincoln Park, New Jersey, has served their community faithfully and has always answered the call to duty.

Their job is not an easy one in any sense of the word. They are at their best when situations are at their worst. Squad members are state-certified Emergency Medical Technicians (EMT), and they help those who are most in need of medical attention, no matter how big or small the issue. Not only is the work they do remarkable, but what is even more astonishing is the fact that these heroes are all volunteers.

Their task is difficult enough having to take care of one patient at a time. But it becomes especially daunting when considering Lincoln Park Borough’s population is over 10,000, and continues to grow every year. It takes dedicated men and women to go above and beyond the call of duty to serve a community of that size, and there is nobody more capable than those individuals in the Lincoln Park EMS Squad.

Mr. Speaker, I urge all of my colleagues to join me in thanking and recognizing the amazing men and women of the Lincoln Park Emergency Medical Services Squadron.

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**PERSONAL EXPLANATION**

**HON. CARLOS CURBELO OF FLORIDA**

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. CURBELO of Florida. Mr. Speaker, I was unable to cast the following votes on H.R. 1335 due to inclement weather: Roll Call 264: NAY, Roll Call 266: NAY, Roll Call 267: YEA.

**CONGRATULATING THE NATIONAL BLACK DATA PROCESSING ASSOCIATES (BDPA)**

**HON. ELEANOR HOLMES NORTON OF THE DISTRICT OF COLUMBIA**

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Ms. NORTON. Mr. Speaker, I rise today to ask the House of Representatives to join me in congratulating the National Black Data Processing Associates (BDPA) on its 40th anniversary of service to the residents of the District of Columbia and the national capital.

Founded in May 1975 by Earl Pace and the late David Wimberly, BDPA was formed out of a concern shared by both men that minorities were not adequately represented in the information technology industry. The first BDPA chapter was organized in Philadelphia, PA in 1977. A year later, the second chapter was organized in Washington, D.C., and shortly thereafter, the third chapter was organized in Cleveland, OH. In 1979, BDPA was restructured as a national organization, and has 45 active chapters across the United States.

As the oldest and largest African American information technology (IT) organization, comprised of over 2,000 African-American IT professionals, as well as science, technology, engineering and math (STEM) college students, BDPA’s mission is to be a powerful advocate for their interests within the global technology industry. Its mission is to be a global, member-focused technology organization that delivers programs and services for the professional wellbeing of its members.

BDPA continues to promote professional growth and technical development for young people and those entering into information and communication technology (ICT) in academia and corporate America. We also appreciate BDPA and its 45 chapters for continuing to provide ICT opportunities for STEM students and professionals.

Mr. Speaker, I ask the House of Representatives to join me in celebrating the 40th anniversary of the National Black Data Processing Associates, in congratulating BDPA for its outstanding accomplishments and commitment to the residents of the District of Columbia and around the country, and in welcoming those attending the BDPA Annual National Technology Conference and Career Fair, titled “Evolution of IT—Embracing the Digital Future,” on August 18-22, 2015, at the Washington Hilton Hotel.

**HON. BENNIE G. THOMPSON OF MISSISSIPPI**

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable historical church Greenhill Missionary Baptist of Marks, Mississippi and the great leadership it is under, Rev. Alvis Pryor, Jr. Greenhill M. B. Church was organized in 1909. The original building was a small one room wood frame building located across Highway #6 between the towns of Belen and Marks, MS in the county of Quitman. This building was destroyed by a storm.

A man by the name of Jesse D. Andrews heard about the loss of the church and sold them two (2) acres of land for the sum of One Dollar. The land was deeded to Sam Jones, Pleas Thomas and John Henry, who were Deacons and Trustees of the church. This land was sold with the understanding that it was to be used for church purposes or burial grounds or both and should it cease to be used for the before mentioned purposes, the land would be reverted to Jessie D. Andrews.

With the help of Rev. M. O. Jude. After acquiring the new land (present site) with only a few members remaining, another single room wood frame building was constructed. The new church was built by Alexander Gates, George James, David M. Gates, Epsi Morgan, Sr. and other men within the community. The church was built through donations made by church members and others under the leadership of the first pastor, Rev. M. O. Jude.

During the 106 years of Greenhill’s history there have been a total of 11 pastors; some with short tenures and some with long tenures. Some made a great impact on the church and community and others kept the church moving forward. Under the leadership of Rev. C. J. Carson, (5th) pastor an annex was added which included, pastor’s study, kitchen/dining room, deacon’s/secretary room and bathrooms. Rev. Luster C. Tyler served as the (8th) pastor. During his tenure the church was again remodeled. He served a total of 25 years the longest serving pastor so far. He was often referred to as “the Mississippi Hoofer”.

In 2007, Rev. Currie Relliford was elected as (10th) pastor. Even though his tenure was less than two years the annex was torn down and rebuilt into a beautiful modern structure.

Greenhill has always served as a beaconing light in its rural community setting. The church takes pride in ministering to the whole person. Special attention is given to the needs of the youth, aged, and underprivileged. Considering the fact that Greenhill is a small church we are proud of the fact that traditionally many of its
members have gone to college and became public school teachers. Presently about 50% of the members are less than 21 years old. So with God the future of Greenhill is bright.

Rev. Alvis Pryor, Jr. was elected as eleventh pastor of Greenhill M. B. Church in May 2009. Under his leadership, the church has continued to grow spiritually due to the continuation of weekly prayer meetings, Bible Study, Sunday School and the visitation of the sick and shut-in. Pastor Pryor has been very instrumental in the growth of this church through the guidance of the Holy Spirit, and some of his most notable accomplishments are: Instituting a plan to liquidate the mortgage on the church, the beautiful church sign (which was purchased by the first family), additional Sunday school teachers and assistants have been added; he is responsible for instituting an Annual Youth and Youth Coordinators Retreat in July, annual fellowship dinners sponsored by first family, fifteen passenger van and hired a full time musician.

Unfortunately, when there’s life; death too will come. Throughout the past 106 years, as you can believe, there’s been many warriors to make the transition of life. As history reveals, Greenhill has steered through an array of obstacles. Whether great or mediocre, God’s word continues to prevail. So today, they are humbly thankful for 106 years of existence and service unto the Lord.

Mr. Speaker, I ask my colleagues to join me in recognizing Greenhill Missionary Baptist Church for its dedication for serving our great people.

PERSONAL EXPLANATION

HON. DAVID P. ROE
OF TENNESSEE
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Mr. ROE of Tennessee. Mr. Speaker, I was unable to vote yesterday because of the death of a close friend. Had I been present, I would have voted: Roll Call #264—NO, Roll Call #265—NO, Roll Call #266—NAY, Roll Call #267—AYE.

25TH ANNIVERSARY OF D&L FLORIST

HON. JASON SMITH
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Mr. SMITH of Missouri. Mr. Speaker, I rise today to honor the 25th anniversary of D&L Florist in Illinoi, Macomb.

Since opening its doors in 1990, D&L Florist has been serving the Houston, Plato, and Licking communities, bringing smiles to the faces of area residents in times of sadness and in times of celebration.

As a family owned and operated business for 25 years, D&L Florist appreciates the importance of customer service and connection to the community. The service, products, and community spirit of Sheri and her team make D&L Florist such a special part of our area.

For the service of value and commitment to serving others, it is my pleasure to recognize D&L Florist of Houston before the United States House of Representatives.

CELEBRATING THE 275TH ANNIVERSARY OF THE TOWNSHIP OF PEQUANNOCK

HON. RODNEY P. FRELINGHUYSEN
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor the Township of Pequannock as it celebrates its 275th Anniversary.

On March 24, 1740, Pequannock was proclaimed one of three townships in colonial New Jersey. At this time, Pequannock was one of the largest municipalities in the region. Though it is celebrating 275 years of existence, Pequannock’s history extends as far back as the 1600s when European settlers first arrived to the region. Deriving its name from the Lenni Lenape word ‘Pequannakauke,’ meaning ‘cleared land ready or being readied for cultivation,’ Pequannock Township has embraced the notion of growth and prosperity. The township is home to more than 15,000 people and was ranked among the top fifteen places to live in New Jersey in 2013.

Pequannock boasts a rich history and played a key role during the Revolutionary War. Both Comte de Rochambeau and George Washington utilized the town to house troops during the war. Pequannock is also home to the Manedville Inn, which was built in 1786 and owned by former Vice President Garret Hobart. Even after the Revolutionary War, the township played an important role in American history. During the Civil War, Pequannock functioned as a stop along the Underground Railroad. Many runaway slaves stopped at the Giles Mandeville House in their pursuit of freedom.

Today, Pequannock Township is an ideal place to raise a family. Home to three elementary schools, one middle school, and its own high school, the township understands the importance of education for all of its students. Students living in Pequannock learn from wonderful educators and have the ability to take advantage of many extracurricular activities. For example, students attending the Pequannock Valley School presented ‘Mulan Jr.’ a play based on the Disney-hit Mulan. In addition to its superb educational programs, Pequannock Township offers many recreational facilities that people of all ages may enjoy. Boasting three parks, including a dog park, members of the Pequannock community have the opportunity to enjoy a leisurely stroll or to simply enjoy Woodland Lake, where boating and fishing is commonplace. Pequannock further takes pride in the Pequannock Township Women’s Golf League, where over 150 women participate in golf outings throughout the year.

To celebrate 275 years of prosperity and cultivation, Pequannock Township plans on hosting several different events. On May 25th, Pequannock will host a parade commending the Township and honoring America’s contributions to America’s success. This parade will feature an additional float devoted to the township’s anniversary, and a presentation created by the Pequannock Township Historic Commission honoring American veterans. In addition to the parade, Pequannock will host a street fair, “hoo-dee-down” and an open house at Pequannock Valley Park. These events will occur throughout the summer season and will assuredly make the 275th Anniversary one to remember.

I commend the people of Pequannock Township for their dedication to ensuring that their township remains a wonderful home. Pequannock continues to serve as a model community and will undoubtedly continue to flourish for years to come.

Mr. Speaker, I ask you and my colleagues to join me in congratulating the Township of Pequannock as it celebrates its 275th Anniversary.

HONORING ST. MATTHEW M. B. CHURCH

HON. BENNIE G. THOMPSON
OF MISSISSIPPI
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor St. Matthew M. B. Church of Jackson, Mississippi.

In 1900, Rev. Jack Hill called a group of people together for the purpose of worshipping God. It was in a brush harbor located at Trips Crossing (the intersection of Northside Drive and North State Street) there a band of baptized believers decided to follow Rev. Jack Hill. This was the beginning of St. Matthew M. B. Church. Rev. Hill led some spiritual followers that had been responsible for the survival and progression of St. Matthew. History is not clear of the number of years that early leaders were with the growing Christian followers.

The church was later moved to Terry’s Place (the present location of Walton’s Elementary School) under the leadership of Rev. Johnnie Harris. At this site, Rev. W. L. Jordan took the reign of leadership and completed the construction of the newly relocated building.

Terry’s place was on 16th section school land and had to move. The congregation was faced with finding a new location for church service. With God’s blessings and determination the congregation began searching again. Approximately in 1927 or 1928, Rev. J. D. Hayden became pastor of St. Matthew and purchased deeds for the present location. It was the hope of the members that this would be a permanent place. Rev. Hayden accepted a calling from another church and was succeeded by Rev. W. M. Creshon. Under Rev. Creshon’s sixteen years of service the church was rebuilt and rapidly became one of the most progressive black churches in the City of Jackson.

During the late 1940’s, St. Matthew M. B. Church served as part of the New Hope Public
School. This elementary school gave many children an opportunity to get an education. Rev. Creshon was proud of the church and school's progress. In 1947, Rev. Creshon's health failed and he resigned his position as a pastor.

Rev. Sylvester Thomas, a young and inspiring minister, was asked to lead the flock. Under his strong hand guided by God, the church was remodeled and a blueprint was drawn to rebuild the present structure. Rev. Thomas served for sixteen years and the congregation grew spiritually. Then Rev. Thomas went to his heavenly home.

Rev. Wrotten McQuirter, the assistant minister, accepted the position as a full-time pastor. St. Matthew continued to grow and Rev. McQuirter worked with the members to erect the present facility we now worship in each Sunday. St. Matthew M. B. Church stands as a beacon in the community.

Mr. Speaker, I ask my colleagues to join me in recognizing St. Matthew M. B. Church.

COMMEMORATING CARIBBEAN AMERICAN HERITAGE MONTH

HON. SHEILA JACKSON LEE
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Ms. JACKSON LEE. Mr. Speaker, I rise today in commemoration of Caribbean American Heritage Month, which celebrates and recognizes the significant contributions made by Caribbean Americans that have strengthened our country and made it better.

This month also marks the 53rd anniversaries of independence for the Caribbean nations of Jamaica and of Trinidad and Tobago.

Although a half-century has passed since they gained their independence, the struggle they waged to win their freedom still stands as a testament to the ideals of our own great nation.

I am privileged to represent a large segment of Houston, Texas, which is home to more than 300,000 Americans of Caribbean heritage, making it one of the largest, most diverse, and vibrant Caribbean-American communities in the nation.

Mr. Speaker, Americans of Caribbean heritage have made a positive impact on virtually every aspect of American life, including the arts, science, business, education, athletics, military, and government.

For example, in the area of government and public affairs America has benefited from the contributions of Colin Powell, a former Secretary of State and Chairman of the Joint Chiefs of Staff; U.N. Ambassador Susan Rice; former Members of Congress Mervyn Dymally of California, and Shirley Chisholm of New York, and current Congresswoman Yvette Clarke of New York; and Kamala Harris, the Attorney General of California.

Caribbean Americans have enriched American art and culture with the legendary performances of Sidney Poitier, Harry Belafonte, Cicely Tyson, Nia Long, and Cuba Gooding, Jr.; the writings of authors W.E.B. DuBois and Malcolm Gladwell; the music of Beyoncé Knowles, Lenny Kravitz, Rihanna, and Wyclef Jean; and the prowess of great athletes like Carl Lewis, Tim Duncan, Patrick Ewing, Sandra Richards-Ross, and Ndamukong Suh.

Mr. Speaker, I am very pleased that this Saturday, June 6, the city of Houston will be hosting the 5th annual Caribbean American Heritage Month Festival, which celebrates the rich culture of the Caribbean with a showcase of beautiful costumes, music, food, and enjoyment for all.

I also wish to recognize the leadership of the Caribbean American Heritage Foundation of Texas, which works to assist Texas Caribbean Organizations achieve their goals and to advocate on behalf of the peoples of Caribbean descent.

I congratulate the Caribbean American Heritage Foundation of Texas, the Caribbean Heritage Organization in my home city of Houston, and the many community organizations and volunteers across the nation for their efforts in making Caribbean American Heritage Month the success that it is.

During this month I hope all Americans will join with me in celebrating the remarkable history, culture, and contributions of Caribbean Americans to our nation's past and future.

PERSONAL EXPLANATION

HON. MARK TAKAI
OF HAWAII
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Mr. TAKAI. Mr. Speaker, on Monday, June 1, 2015, I was absent from the House to attend my daughter Kaila’s 6th grade graduation from Waimalu Elementary School in Hawaii. Due to my absence, I am not recorded on any legislative measures for the day. I would like to reflect how I would have voted had I been present for legislative business.

Had I been present, I would have voted “aye” on Roll Call 264, Roll Call 265, and Roll Call 266. On Roll Call 267, and final passage of H.R. 1335, I would have voted “no”.

30TH ANNIVERSARY OF MO-SCI CORPORATION

HON. JASON SMITH
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Mr. SMITH of Missouri. Mr. Speaker, I rise today to honor the 30th anniversary of Mo-Sci Corporation headquartered in Rolla, Missouri. Since 1985, Mo-Sci has been at the forefront of innovation in the glass and ceramic products industry. They are also celebrating the grand opening of their new 22,000 sq. ft. facility, Mo-Sci Precision Materials.

Mo-Sci was founded by Dr. Delbert Day in order to supply glass and ceramic products for niche market applications. Their founding product was TheraSphere, a glass microsphere component that no other company would manufacture and is used to treat inoperable liver cancer. Starting with only one engineer and a rented desk in a university lab, Mo-Sci has since grown into one of the most successful small glass businesses in existence today and serves more than 2,000 customers with exports to over 50 countries.

For their continuous development of new and innovative products, as well as their recent expansion, it is my pleasure to recognize the 30th anniversary of Mo-Sci and their achievements before the House of Representatives.

HONORING THE SERVICE OF MR. CLARENCE EWELL MAZE

HON. ANDY BARR
OF KENTUCKY
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Mr. BARR. Mr. Speaker, I rise today to recognize a true American hero, a part of the greatest generation, Mr. Clarence Ewell Maze, of Owingsville, Kentucky. He is to be commended for his distinguished military service during World War II. Mr. Maze served our nation in the United States Army.

Mr. Maze, like many other brave young Americans, left the comforts of home and family and answered the call for duty with the United States military. His service took him to the European Theater of Operations. He fought the German Army in Belgium, France, and Germany. He and his fellow soldiers endured harsh weather conditions, fatigue, hunger, and dangerous enemy fire as they ultimately defeated the Germans. He spent time at the end of the war in Munich, Germany.

Following his service in World War II, Mr. Maze returned home to Bath County. He started his own business, a garage and body shop. For Mr. Maze, this was a fulfillment of the American dream. He has been married to Bernice since 1946. He has a daughter Regina and a late son Ricky. Mr. Maze has been a faithful attendee at Polksville First Church of God ever since returning from the war.

Mr. Maze is a true patriot, a good family man, and a servant of the Lord. Because of his courage and the courage of other brave young people from Owingsville and from all across our great nation, our freedoms have been saved for our generation and for future generations. He is truly an outstanding American, a brave patriot, and a hero to us all.

HONORING OLD ANTIOCH BAPTIST CHURCH

HON. BENNIE G. THOMPSON
OF MISSISSIPPI
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable historical house of worship, Old Antioch Baptist Church in Sumner, Mississippi.

Old Antioch Baptist Church has been in existence since 1904 in Sumner, Mississippi. The congregation today still consists of many of the founder’s children and grandchildren. In earlier years church services were held only on the second Sunday of each month and had a large congregation, primarily because of the vast Black population around the Sumner community. It was one of the only places they had to worship. Today the membership consists of 60 members, three deacons and two trustees. In 1979 a part of the Old West District School building was added to the Old Antioch Church which added five Sunday school classrooms, a baptismal pool, a kitchen and three bathrooms. In 1991, the Old Antioch
church was bricked under the leadership of Rev. Andrew Hawkins.

The church activities consist of: Sunday School, Annual Men & Women's Day Programs every second Sunday in October, Family & Friends Day and Mother's Day Programs in May, Black History Observance in February, Church Anniversary in July, Sunrise services on Easter Sunday, Christmas concert and Thanksgiving programs. All services are held to benefit members of the congregation who may have a need as well as the surrounding communities.

Worship service has changed to every second and fourth Sunday. Old Antioch Baptist Church has had 21 ministers to serve as pastors. Currently Rev. Lorenzo K. Robinson, who is a native of Bolivar County is pastor, ministry of music and Sunday school teacher and trainer of future Sunday school teachers. He has been the pastor for the last 12 years.

Mr. Speaker, I ask my colleagues to join me in recognizing an amazing house of Worship, which has been instrumental in meeting spiritual needs.

MOURNING THE DEATH OF GARRETT FITZGERALD

HON. MIKE QUIGLEY
OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Mr. QUIGLEY. Mr. Speaker, I rise today to remember and honor the life of an important and respected member of the Chicago community.

Mr. Garrett Fitzgerald passed away May 9th 2015 at the all too young age of 49 after his battle with brain cancer.

Since 2006, Garrett Fitzgerald was the Executive Director of the North Center Chamber of Commerce. Under his leadership, he increased membership from 23 to nearly 400. He loved his neighborhood and set out to make it better for its residents and all of its visitors. He was the driving force expanding the chamber's programing such as the concert series and movies in the square. Thanks to his hard work and passion, what was once a simple street festival, Ribfest has become the second biggest festival in Chicago.

He was known for his ability to connect with others. His selflessness was the source of his boundless energy. It was not uncommon to see him making food to give away to concert goers at festivals.

Garrett's top priority was always his family, and the love and support they provided him was the most important thing in his life. He will be missed most by his wonderful wife, Alicia; his daughter, Bridget; his parents, Kathleen and Thomas Fitzgerald; his sister, Meghan Wiegold; and his many aunts and uncles.

Mr. Speaker, May God bless the Fitzgerald family and the memory of a man who was truly loved by his friends, his community, and his family.

HON. JOE WILSON
OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Mr. WILSON of South Carolina. Mr. Speaker, I submit the following regarding my absence from votes which occurred on June 1, 2015. My flight was delayed for three hours at Charlotte due to inclement weather at Reagan National Airport causing me to miss votes. Listed below is how I would have voted if I had been present.

Dingell Amendment to H.R. 1335—No
Lowenthal Amendment H.R. 1335—No
Democratic Motion to Recommit H.R. 1335—No
Passage of H.R. 1335—Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act—Aye

HONORING CYNTHIA T. LEE

HON. BENNIE G. THOMPSON
OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable and ambitious citizen with a desire to pursue justice for others, Cynthia T. Lee.

Cynthia T. Lee is a native of Raymond, MS. Her parent, Ms. Sonja Wilson Lee and the late grandparents, Annie Moon and Sam Wilson are very proud of her accomplishments. After graduating from Raymond High School in 2006, she attended Jackson State University and received her Bachelor of Arts degree in Sociology.

While in college, Cynthia developed a passion for social justice-oriented work and decided to further her education at the University of Alabama, where she received a Masters of Social Work degree in May 2012. In the fall of 2012 Cynthia began her matriculation at the University of Mississippi School of Law. Currently, as a third-year law student she has demonstrated her capacity and competence as a leader by serving as the student coordinator for the Pro Bono Initiative and the President of the Public Interest.

Ms. Lee’s Law Foundation is admirable. She was the recipient of the University of Mississippi’s Pro Bono Initiative Service Award, as well as the Adams and Reece Pro Bono Award. In addition, she also serves as a dedicated member of the Trial Advocacy Board, the Law Association for Women, and Black Law Students Association. As a proud member of BLSA, she has served as the 2013–2014 Community Service Committee co-chair and currently serves as the 2014–2015 Black History and Social Action Committee co-chair.

Her dedication to service and academics has resulted in her receiving the BLSA Member of the year and the BLSA 2 L Scholarship award.

Cynthia is truly thankful to God, her mom, aunts, uncles, family and friends for their continued support of her academic advancement and services to others.

After law school, Cynthia plans to sit for the Mississippi Bar, and pursue a career dedicated to Social Justice with a specific emphasis in Criminal Justice Reform.

HONORING THOMAS SURDYKE

HON. JASON SMITH
OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Mr. SMITH of Missouri. Mr. Speaker, I rise today to honor Thomas Surdyke of Festus, Missouri, for the outstanding achievement of receiving his Eagle Scout award. This award is not easily attained and cannot be achieved without a steadfast determination to succeed.

In order to receive this award, Thomas completed several steps and a service project exemplifying patriotism and his commitment to serve others. Thomas erected a new flag pole by the football field at St. Pius X High School where he played as a student. In addition to earning his Eagle Scout award, Thomas achieved Order of the Arrow Brotherhood, and received the Parvuli Dei and Ad Altere Dei religious emblems. He was senior patrol leader and librarian during his time in Troop 484. He also served as chaplain’s aide on a ten day trek at Philmont Scout Ranch Adventure Base. As a scout, he has learned about service and leadership which were influential in his decision to attend the U.S. Military Academy at West Point to prepare for a career serving as an officer in the United States Army. Thomas is a role model for young and old alike, and it is my pleasure to recognize his achievements before the House of Representatives.

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After law school, Cynthia plans to sit for the Mississippi Bar, and pursue a career dedicated to Social Justice with a specific emphasis in Criminal Justice Reform.
Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to congratulate the Mental Health Association in Passaic County as they celebrate their 30th Anniversary.

The beginnings of the Association go back to 1909, when Clifford Beers founded the Connecticut Society for Mental Hygiene, which would later become the National Mental Health Association.

In 1976, the Passaic County Community Companion Program was started by the Mental Health Association in New Jersey. This program was dedicated to helping individuals returning to their communities from state mental health hospitals. Volunteers were trained to work with individuals with mental illness one-on-one to ensure a successful return home.

Three years later, the plans to create a Mental Health Association Chapter in Passaic County began. By this time, the Passaic County Community Companion Program had helped 75 Passaic County residents.

At its annual meeting, the Mental Health Association in New Jersey voted full chapter status to the Mental Health Association in Passaic County. The Association offered the Community Companions and Family Companions programs, a self-esteem program for former patients and families of those with mental illness; a self-esteem program for grade-school children; the Mental Health Players; services to the homeless with mental illness, and a referral and information service. All of these services were and still are free of charge, thanks to over 100 Passaic County residents who volunteer their time to the MHAPC’s endeavors to help those in need.

As time went on, the Program’s services continued to grow. In 1987, the Crossover Program began, helping young adults with mental illness. In 1997 the Peer Outreach Support Team (POST) was created to help consumers with mental illness provide support to those living in supportive housing. Most recently, the Arab-American Community Services Partnership was created in 2005, with a goal of forging cooperative efforts to address mental health services that are needed and to increase cultural understanding.

Through all of the Association’s fantastic work, it is no surprise that in 2003 the Consumer Parent Support Network received the honor of Best Practice Program for the Prevention of Neglect and Abuse for the Northern Region of New Jersey.

Mr. Speaker, I urge you and all of my colleagues to join me in congratulating the Mental Health Association in Passaic County as they celebrate their 30th Anniversary.

HON. JIM McDERMOTT
OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Mr. McDERMOTT. Mr. Speaker, today I am proud to introduce the Accuracy in Medicare Physician Payment Act, legislation that will provide the Centers for Medicare and Medicaid Services (CMS) with important tools that will strengthen primary care in this country.

For too long, Medicare has relied upon a flawed process to set payment rates for services on the physician fee schedule. Since 1991, CMS has outsourced the process of valuing physician services to the Relative Value Scale Update Committee (RUC), a secretive 31-member panel of doctors. The RUC’s composition is shaped by the American Medical Association, and specialty societies are grossly overrepresented in its membership. As a private entity, the RUC is exempt from transparency laws, and the justifications for the committee’s recommendations are opaque.

The RUC is extremely influential. From 1994 to 2010, CMS accepted approximately 90 percent of the committee’s recommendations, and although the committee changed their recommendations in recent years—the RUC continues to exert tremendous power over Medicare. This has far reaching implications for the entire American healthcare system, as Medicare’s rates strongly influence the reimbursement rates of private insurers.

Meanwhile, our country faces a growing crisis in its primary care workforce. The Health Resources and Services Administration estimates that there will be a nationwide shortage of over 20,000 primary care doctors by 2020. Primary care providers—particularly those who practice in low-income and rural areas—are compensated at much lower rates than specialists. Recent medical graduates, who on average are saddled with about $170,000 in educational debt, are steered away from lower-paying work in primary care toward lucrative specialties that bring in millions of Americans without access to the care they need, threatening their health security and ultimately driving up healthcare costs for the entire country.

By distorting payment rates in favor of specialty services, the RUC has had a direct role in creating this crisis. Calls to reform its processes are growing. A recent report by the Government Accountability Office has called into question the accuracy of the RUC’s recommendations due to weaknesses in its data collection methods and conflicts of interest by its members.

The Accuracy in Medicare Physician Payment Act will reform this flawed system. It will give CMS the tools it needs to ensure that payment rates serve the needs of the American people, not the needs of highly-compensated specialists. This legislation will establish an independent panel of experts within CMS that will identify distortions in payment rates and help Medicare develop evidenced-based updates to the fee schedule. Its processes will be highly transparent, and it will be subject to the same oversight as the Medicare Payment Advisory Committee Act, which requires advisory bodies to hold open meetings and publish minutes. If necessary, CMS may still seek input from the RUC, but all recommendations would be carefully scrutinized by the expert panel.

This legislation will ensure that the process of setting physician payment rates is subject to rigorous oversight, independent analysis by experts, and meaningful transparency. It will put an end to a flawed process that has contributed to a healthcare system that drives thousands of young doctors away from where they are needed most.

HONORING JOE DOWLING ON THE OCCASION OF HIS RETIREMENT FROM THE GUTHRIE THEATER

HON. BETTY MCCOLLUM
OF MINNESOTA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Ms. MCCOLLUM. Mr. Speaker, I rise to pay tribute to Mr. Joe Dowling, who is retiring in June from the Guthrie Theater in Minneapolis, Minnesota after serving 20 distinguished years as Artistic Director. During Mr. Dowling’s impressive tenure, he has directed more than 50 shows and reinforced the foundation for this world-class Minnesota cultural cornerstone.

Mr. Dowling joined the Guthrie as Artistic Director in 1995, bringing his vision, creativity, and tireless dedication to the arts after leading other theater companies in his native Ireland. Among Mr. Dowling’s many achievements is the development of training programs like the University of Minnesota/Guthrie Theatre B.F.A. Actor Training Program and A Guthrie Experience for Actors in Training. He also solidified a partnership with The Acting Company of New York and created the WorldStage Series, two programs that allow local talent to tour the United States and in turn welcomes internationally renowned theater programs to Minnesota. He has also shared his vision and talents on Broadway and at other prominent venues throughout the United States and Europe.

Perhaps Mr. Dowling’s deepest legacy is the success of a $125 million capital campaign and construction of a new theater home which was completed in 2006. Designed by French architect Jean Nouvel, the theater is an architectural gem. At 285,000 square feet, the new Guthrie includes public gathering spaces and restaurants, and a 178-foot “endless bridge” that highlights a spectacular, soaring view of the mighty Mississippi River. The heart of the new Guthrie are three unique theaters offering special performance spaces and viewing perspectives. The Dowling Studio in particular is an intimate 200 person black box theater that has welcomed 33 local premieres and stands as a testament to its namesake’s commitment to developing and showcasing the Twin Cities arts community.

In a metropolitan area that boasts more theater seats per capita than anywhere else in the U.S. outside of New York, Minnesotans take great pride in our thriving, high quality performing arts community. Experiencing a performance at the Guthrie is a particular joy, and I attend shows there whenever I can. I am clearly not alone, because under Dowling’s leadership, the Guthrie has entertained, enriched, and enlightened 400,000 patrons each year.

Mr. Speaker, it is a privilege to rise to honor Mr. Dowling and his many contributions to the rich cultural landscape in Minnesota as the
Mr. FRELINGHUYSEN. Mr. Speaker, I rise to ask my fellow colleagues to join me in the recognition of the 75th Anniversary of the New Jersey State Fair and Sussex County Farm & Horse Show. Drawing in roughly under a quarter million attendees annually in recent years, this event reflects upon a rich heritage and culture of which we should all be very proud.

From what began over 75 years ago as a small town horse and farm show, the fair has blossomed into the famous state event we appreciate and enjoy today across the entire Tri-State area. Since 1999, the Sussex County Farm & Horse Show has been incorporated into the New Jersey State Fair, and it remains an integral piece of its history.

Since their inclusion into the New Jersey State Fair, these Fairgrounds have provided a welcome home for a wide variety of events as well as a place for learning and tourism. This year’s fair will extend over a period of 10 days and include a multitude of enjoyable attractions, expositions, and performances, including a carnival, circus, and even a demolition derby. Aside from these attractions, the fair serves as a promotion for the importance of local agriculture and showcases some of the beauty that characterizes the Garden State. In an effort to do this, a vegetable show, the Flower & Garden Expo, and livestock shows have all been included in the fair’s itinerary. Always looking to provide an opportunity for local vendors, the fair will also allocate showcases for the best produce and livestock from our local farmers. Learning and culture will also be major aspects of the event, and attractions such as an Art expo, talent competition, and a robotics display shall offer attendees an exciting and informative perspective on some of the best New Jersey has to offer.

Held annually in Augusta, New Jersey, the New Jersey State Fair has grown to include a permanent complex of 15 buildings stretching over an impressive 165 acres. The fair’s popularity has increased steadily since its inception and this is a testament to its continued success. It will have been 75 years since the local Sussex horse and farm shows merged to form the Sussex County Farm and Horse Show in an effort to increase public appreciation for agriculture in New Jersey. Since then, the once tiny event has surpassed all expectations; becoming an integral fair in the Garden State. Today, we honor that achievement and all the experiences yet to be had today and in years to come.

I commend the Sussex County Farm & Horse Show Association for their continued commitment to providing such a rich educational experience for the people of New Jersey and the wider Tri-State area. Mr. Speaker, I ask you and all my colleagues to join me in congratulating the New Jersey State Fair/Sussex County Farm & Horse Show as it celebrates its 75th Anniversary.

HONORING CADET COL GREGORY WILSON
HON. BENNIE G. THOMPSON
OF MISSISSIPPI
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable Cadet COL Gregory Wilson, a senior at Murrah High School, is the Jackson Public Schools JROTC Cadet of the Year for 2015. While maintaining a 3.8 grade point average, Cadet Wilson has held several key leadership positions in the Battalion throughout his high school tenure. Cadet Wilson is a proud member of the National Honor Society and National Junior Classical League. He recently attended the American Legion Boys State where he was elected state treasurer.

Cadet Wilson has also been actively involved in a variety of community service projects including Stewpot Summer Enrichment and Stop Hunger Now. Currently, he serves as the Cadet Battalion Commander for the “Mustang” Battalion. Cadet Wilson has been accepted to several colleges including the prestigious University of Mississippi Honors College. After graduating from Murrah with honors, Cadet Wilson will attend the University of Mississippi. He plans to attend medical school at an Army residency program. His vision is to become a pathologist for the United States Army.

Mr. Speaker, I ask my colleagues to join me in recognizing Cadet COL Gregory Wilson.

IN SUPPORT OF “LGBT PRIDE MONTH AND HOUSTON PRIDE WEEK”
HON. SHEILA JACKSON LEE
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Ms. JACKSON LEE. Mr. Speaker, I rise to commemorate LGBT Pride Month and the remarkable progress that has been made in making our country more diverse and tolerant and embracing of differences in the 17 years since the cruel murder of Matthew Shepherd, a college student from Laramie, Wyoming. As a country, America has made and continues to make great progress in the area of social equality, as evidenced most dramatically by the seismic shift in public support for marriage equality over the past decade. Today, supporters of marriage equality dramatically outnumber opposing opponents by 61%-35%; a near total reversal from 2004, when opponents outnumbered supporters 58-39 percent.

Our country made progress in bringing our LGBT brothers and sisters, mothers and fathers out of the shadows with the repeal of “Don’t Ask, Don’t Tell,” which I was proud to support. Our nation is now stronger and our people are safer thanks to the sacrifices made by these brave Americans, who no longer need to choose between service and silence. There have been other changes for the better.

In April 2015, President Obama issued a landmark Executive Order prohibiting discrimination against LGBT persons in the workplace.

This civil rights victory ensures the tax dollars used to pay government contractors support contractors that are committed to equal employment opportunity for all persons regardless of sexual orientation.

This legislation marks a major shift from a time when the U.S. Civil Service Commission prohibited the hiring of LGBT persons to a time when the Secretary of Defense has selected openly gay men as his chief of staff.

Mr. Speaker, this year marks the 46th anniversary of the LGBT Civil Rights Movement, where activists such as Frank Kameny led the struggle for the voices of the LGBT community to be heard.

Frank Kameny’s courageous demonstrations inspired others to resist mistreatment and we witnessed in 1969 what happens when a community says enough is enough.

Our country has made progress since the Stonewall uprising of 1969, and with the support of equal rights for all communities by leaders such as President Barack Obama, more and more voices are being heard. Mr. Speaker, although more remains to be done to realize the full promise of America that all are equally treated and protected, there is no doubt that America is closer to realizing that promise than it was during the dark days of Stonewall.

So there is much reason for joy and optimism when my home city of Houston celebrates Houston Pride Week later this month, from June 21-28, 2015.

According to the 2010 U.S. Census, the 16th largest LGBT community in the nation is located in the Houston metropolitan area, which I am privileged to represent.

The Houston LGBT community is culturally diverse, economically dynamic, and artistically vibrant.

Houston Pride Week has been an annual event for the last 36 years, since 1979, and promotes the individuality of Houston’s ever-growing LGBT community.

The Pride Festival and Parade are at the center of the Celebration and are annually attended by more than 400,000 people from Houston and around the world.

Mr. Speaker, progress is made through the efforts of courageous leaders who actively engage their communities and face adversity to ensure that the rights of all are clearly recognized and protected.

People like the legendary Bayard Rustin, who organized the 1947 Journey of Reconciliation which inspired the Freedom Rides of the 1960s, and who helped Dr. King organize the Southern Christian Leadership Conference and who was the driving force behind the historic 1963 March on Washington.

Texas natives such as Sheryl Swoopes, a 3-time WNBA Most Valuable Player and champion for the Houston Comets, Houston Mayor Annise Parker.

These leaders have set an example of what can happen when we lift the limits of inequality and support our fellow Americans in their pursuits of their inalienable rights.

Other members of the LGBT community whose contributions have enriched American culture and made our country better include the great poet Langston Hughes; Mandy Carter, 2008 national co-chair of Obama Pride.
Reverend McKenzie spent the rest of his tour of duty aboard the USS *Loftberg*. He was honorably discharged from the United States Navy in 1946 with the rank of First Seaman and returned home to his family. Two years after his return, he kept his promise and gave his life to the Lord.

Ten years later, he began preaching. Reverend McKenzie retired after 26 years of pastoring. Because of his love, compassion, and caring service, he impacted many lives. Reverend McKenzie has been married to Joyce for 70 years. They have six children, eleven grandchildren, ten great grandchildren, and two great, great grandchildren. Reverend McKenzie is to be commended for his brave service to his country, his strong passion for the Lord, and his loyal life as a family man.

Reverend McKenzie’s bravery and that of his fellow men and women in uniform secured our freedoms for future generations. He is truly an outstanding American, a protector of freedom, and an inspiration to us all.

**HONORING BRIGETTA K. TURNER**

**HONORING THE SERVICE OF REVEREND GUY S. MCKENZIE**

**HONORING THE WAL-MART DISTRIBUTION CENTER**

**HONORING SERGEANT CHRISTOPHER D. BOOKER**

Mr. BARR. Mr. Speaker, I rise today to recognize an outstanding individual, Reverend Guy S. McKenzie of Owingsville, Kentucky, for his distinguished military service during World War II. Reverend McKenzie served our nation in uniform from 1943 to 1946.

Reverend McKenzie spent his early years in farming. At the age of 19, he enlisted in the United States Navy. Shortly after enlisting, he began training in the Pacific.

Not long after his deployment, Reverend McKenzie was assigned to the USS *Houston*. While the ship was traveling from Pearl Harbor to Formosa, now known as Taiwan, the ship came under heavy fire from the Japanese. It was torpedoned by a Japanese submarine, cutting an immense gash in the side of her hull. As the ship was sinking, Reverend McKenzie thought about his life and wondered if these were his final moments on earth. He jumped in the water, began to pray, and promised the Lord that he would serve him for the rest of his life if he were spared. After floating for some time in the ocean, the USS *Loftberg* came along and rescued McKenzie and the remaining survivors.

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Mr. Speaker, I am proud to acknowledge the achievements of just a few of the countless number of Americans who overcame prejudice and discrimination to make America a more welcoming place for succeeding generations of LGBT community members.

Mr. BARR. Mr. Speaker, I rise today to honor a remarkable public servant, Dr. Brigetta K. Turner, who is a 1982 graduate of Tougaloo College and obtained her Doctorate of Dental Surgery Degree from Meharry Medical College. She presently practices dentistry on Tougaloo’s campus in the Owens Health and Wellness Center and has been in private practice for over 25 years.

She loves playing the piano and shares her gift at Mt. Nebo M. B. Church. She loves Tougaloo and is ready to help bring Tougaloo to the world. Dr. Turner is a life member of TCNAA, a 2008 Hall of Fame Inductee. She is also a Trustee of the Mississippi Dental Society.

Mr. Speaker, I ask my colleagues to join me in recognizing Dr. Brigetta K. Turner for her dedication to serving others.

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Reverend McKenzie’s bravery and that of his fellow men and women in uniform secured our freedoms for future generations. He is truly an outstanding American, a protector of freedom, and an inspiration to us all.

Mr. Speaker, I rise today to honor a veteran, Sergeant Christopher Dewayne Booker. Christopher has shown what can be done through ambition, tenacity and a desire to serve others. Sergeant Christopher D. Booker a resident of Cary, MS was born April 23, 1971, to Gloria and Willie Booker. He graduated in 1990 from Rolling Fork High School.

In September 1989, Christopher enlisted in the Mississippi Army National Guard. He was mobilized for Desert Storm in December 1990 until May 1991. In November of 2005 to February of 2006 Sergeant Booker’s unit was activated to Operation Enduring Freedom in Afghanistan. He retired from the MS National Guard in September 2015 after serving over twenty-five years.

Christopher worked for Sharkey County as a machine operator for 10 years. Currently, he works for the Town of Cary, MS as a Water and Sewer Operator.

Sergeant Booker is a member of E. P. Baptist Church in Rolling Fork, Mississippi since 1985. He is thoroughly involved in the community. He organized the Annual Community Clean-up for Maiden Addition, a small community in Cary, MS; serves as a volunteer coach for both the Cary Little League Softball and Baseball teams and is a volunteer firefighter for the Town of Cary. Christopher is an avid hunter and is the President of the New Filler Hunting Club, a third degree freemason and a member of the Faith Outreach Men Bible Study at Mt. Zion M. B. Church.

Christopher has earned several certifications. He received his certification for Army Traffic Safety, Combat Lifesaver, Water Treatment Specialist Phase I, Homeland Security Training and Parent Applicant Training.

He is the proud father of three children, Herman D. Scott, Christopher D. Booker and Global D. Booker. He has one grandson, Brayden Adams.

Mr. Speaker, I ask my colleagues to join me in recognizing Sergeant Christopher D. Booker.
for his passion and dedication to serving our great Country, his community and desire to make a difference in the lives of others.

ERIC LI NAMED PRUDENTIAL NATIONAL HONOREE

HON. PETE OLSON
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Mr. OLSON. Mr. Speaker, I rise today to congratulate Eric Li for being named one of ten national honorees for the 2015 Prudential Spirit of Community Awards.

Eric’s dedication to community service started at a young age when he spearheaded a school-wide relief effort following a deadly earthquake in Sichuan, China. He and his sisters also founded a nonprofit organization called We Care Act. The organization helps children around the world recover from major natural disasters. Currently, he is teaching his peers at Pearland Junior High West to refurbish computers that will be sent to orphanages in third world countries.

At such a young age, Eric has already impacted so many children around the world. On behalf of the Twenty-Second Congressional District, thank you for your commitment to philanthropy and congratulations on this remarkable achievement.

TRIBUTE TO MR. JOSEPH ALEXANDER SCOTT, JR.

HON. HENRY CUELLAR
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Mr. CUELLAR. Mr. Speaker, I rise today to commemorate the life of Mr. Joseph Alexander Scott, Jr. The City of San Antonio and the Great State of Texas lost a community leader, civic activist, job creator, and friend with the passing of this great man.

Born on January 31, 1928 in Dallas, Joe Scott spent his life in service to those around him. From his service as a Second Lieutenant in the United States Army in the Korean War to his fourteen years as a teacher in Edgewood ISD and his unmatched record as a leader in his Eastside community, Joe Scott truly embodied the concept of service above self.

Mr. Scott earned a bachelor’s degree from Prairie View A&M University, a Master’s degree from the University of the Lake University, and attended St. Mary’s University Law School.

Mr. Scott was first and foremost a family man. He was the first African-American licensed insurance agent in San Antonio and founded World Technical Services, Inc. (WTTS) to provide jobs for people with severe disabilities and those who are unable to find employment due to past substance abuse or incarceration.

Mr. Speaker, it is my privilege to honor the legacy of Joseph Alexander Scott, Jr. He was my dear friend. I will miss his friendship and the City of San Antonio will miss his leadership, but his legacy will live on and he will be forever remembered.

LUTHERAN SOUTH ACADEMY CHAMPIONSHIPS

HON. PETE OLSON
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Mr. OLSON. Mr. Speaker, I rise today to congratulate the baseball and softball teams at Lutheran South Academy for winning the Texas Association of Private and Parochial Schools (TAPPS) 4A state championships.

The road to success was not easy, but both teams persevered and brought home two state trophies. Lutheran South Pioneer baseball team finished the season with an 8-game winning streak that was capped off with a victory at the TAPPS 4A state tournament. The Lady Pioneer softball team completed their successful season with a shutout victory at the state championship. Each of these young athletes and their coaches has put in the time and the effort to become state champions. I am excited to see what these young athletes achieve throughout their time on the diamond.

It’s time for Lutheran South to expand their trophy case.

On behalf of the Twenty-Second Congressional District of Texas, congratulations on this outstanding victory. Thank you for bringing the gold back home.

IN HONOR OF CHRIS NORTON, LUTHER COLLEGE CLASS OF 2015 AND SPINAL CORD INJURY ADVOCATE

HON. ROD BLUM
OF IOWA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Mr. BLUM. Mr. Speaker, I rise today to honor Chris Norton, an advocate for those recovering from spinal cord injuries and a graduate of Luther College, Class of 2015 in Decorah, Iowa.

During his freshman football season, Chris sustained a serious injury that left him paralyzed from the neck down. In the aftermath of his injury, doctors informed Chris he had a 3% chance of ever walking again. This exceptional young man, after years of physical therapy and rehabilitation, overcame those odds and walked across the stage at his graduation this past weekend.

Moved to action by people with similar injuries he met during his rehabilitation, Chris, his family, and his friends started the Spinal Cord Injury (SCI) CAN Foundation. This foundation is committed to increasing access to quality therapy options and spinal cord injury research. Recently, SCI CAN donated $60,000 to Des Moines University, bringing the total donations of the Foundation to nearly $375,000 to assist in spinal cord injury recovery.

I applaud Chris’ important work with SCI CAN, his message of hope and healing, and wish him well as he continues to recover from his injury. I firmly believe Chris is both an inspirational figure and asset to his community. I wish Chris and his family the very best as they begin the next chapter of their lives.

I encourage everyone to learn more about the SCI CAN Foundation by visiting their Facebook page at www.facebook.com/TheSciCanProject.

STAFFORD TRACK AND FIELD

HON. PETE OLSON
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Mr. OLSON. Mr. Speaker, I rise today to congratulate the Stafford Track and Field Team for earning the Class 4A second-place team state championship trophy.

Despite immense adversity during the final moments of the competition, the Stafford Team competed and brought home the silver. This win reflects the entire team’s dedication to the sport, including outstanding efforts by Lynette Amaran and the young men of the 400 meter relay who both brought home gold medals. We are extremely proud of each individual on the team and the coaching efforts of Mr. Sergio Hinojosa.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to the entire team in representing Stafford High School in the State Track and Field Championship.

HOW TO PREVENT THE FALL OF BAGHDAD

HON. PETER T. KING
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Mr. KING of New York. Mr. Speaker, Islamic State (ISIS) is a massive threat to America’s national interests and to human decency. Each day brings more news of ISIS advances, terrorist attacks, military gains and horrible atrocities. And each day the Administration continues to deny its policies are failing.

Mr. Speaker, I believe that ISIS can indeed be stopped if it heeds the thoughtful recommendations which Kevin Carroll detailed in his May 27, 2015 Wall Street Journal OP/ED (“How to Prevent the Fall of Baghdad”).

Mr. Carroll speaks with authority and firsthand knowledge. He served as a U.S. Army officer in Iraq and Afghanistan and as a CIA case officer in a Middle East war zone. Also, I had the benefit of having Kevin Carroll serve as Senior Counsel when I chaired the House Homeland Security Committee in 2011–2012. I found his advice to be invaluable. I urge the Administration to follow his advice today. I am proud to submit Kevin Carroll’s article and urge all members to read and give thoughtful consideration to his proposals.

ISLAMIC STATE IS LIKELY TO USE THE TACTICS THAT WORKED IN RAMADI. THE U.S. CAN DO MUCH TO CHANGE THE OUTCOME

Mr. OLSON. Mr. Speaker, ISIS, also known as ISIS, has seized control of Ramadi, the capital of Anbar province just 70 highway miles from Baghdad. Fallujah, located between, is already a terror stronghold.

There is little doubt that ISIS leader Abu Bakr al-Baghdadi plans to capture the city whose name he bears. ISIS leader declared himself a caliph in the city, the seat of the Abbasid caliphate, founded in the eighth century to which ISIS would like to return.

It would be a mistake for the Obama administration to continue to underestimate ISIS as the junior vassal. ISIS demonstrated its capacity for cruelty recently, attacking in opposite directions to occupy both Ramadi and Palmyra, deep inside Syria.
Its Ramadi assault mixed terrorism with conventional tactics. At least 30 huge truck bombs, some reportedly as large as the one used in the 1995 Oklahoma City bombing, obliterated Iraq’s defenses, and U.S. forces poured through the breach. A similar attack could be in store for Baghdad. It is assumed that ISIS operatives are in the capital’s Sunni enclaves, with more en route disguised as refugees.

The fall of Baghdad to ISIS would harm American strategic interests as the fall of Saigon did in 1975. The blow to U.S. credibility and the enhancement of ISIS’s prestige, of its black flag rising over an evacuated U.S. Embassy, would be incalculable. To prevent this outcome, President Obama should consider taking the following actions.

Use strategic air power. America’s unrivaled air power can hit ISIS from anywhere: neighboring countries, the sea and the continental U.S. Yet the sorties flown so far have been minimal, and damage inflicted still less, even as ISIS held a parade in broad daylight in Rutba, Iraq, last week.

That is the kind of target our aviators dream of. Rules of engagement need to be loosened. U.S. air controllers sent to the front to call in strikes, and more combat aircraft put into the fight.

Launch ruthless special operations. Recent raids demonstrate the sharing and skillful. But a handful of missions do not resemble the operations led by U.S. Army Gen. Stanley McChrystal and Michael Flynn in 2006–07 that methodically broke the back of ISIS’s predecessor, al Qaeda in Iraq, and drove it abroad.

At that campaign’s height, commandos conducted multiple missions every night. They analyzed intelligence collected on one “objective” to find and fix targets they finished on successive raids. The rhythm, persistence and sheer number of those operations crushed the enemy. Emulate them now, starting near Baghdad.

Capture and interrogate ISIS leaders. Much of the intelligence exploited on those missions came from documents and electronics found in terrorist safe houses. But the best came from interrogations, some conducted on the battlefield as the smoke cleared.

Interrogators acted within the bounds of decency against evil men who deserved no quarter. Yet neither were military and CIA personnel constrained by the rules of evidence and criminal procedure, because their goal was a quick conviction, but the location of the next high-value target. A robust program of capturing and roughly interrogating terrorists abroad should resume, first focused on the whereabouts of ISIS operatives in and around Baghdad.

There is also a role for police work. ISIS has devotees in all 50 U.S. states; hundreds of Americans have answered the call to fight for them, and some number have returned. The FBI and state and local law enforcement should make aggressive use of antiterror statutes to question and flip into informants suspects who may be in contact with terror leaders with details of ISIS plans regarding Baghdad. Congress should reauthorize the National Security Agency’s signals intelligence programs identifying such communications between Americans and known terrorists abroad.

Send ground combat forces. Despite U.S. efforts to retrain them, the Iraqi army is now unable or unwilling to stand and fight ISIS when commanders have simply thrown down their weapons, discarded their uniforms, and abandoned their men and posts when ISIS threatens. The Iraqi army needs a strong complement.

U.S. airborne units can arrive quickly to secure Baghdad’s airport and the long and vital road from the city to that airfield. More Marines can better defend the U.S. Embassy in Baghdad. Americans can stiffen Iraqi lines around the city, and provide artillery and engineer units needed in urban combat. U.S. cavalry units can launch what imperial Britain called “punitive expeditions” to destroy ISIS lairs further afield.

The arrival of thousands more American fighting men will improve the Iraqi army’s performance. It was no accident that the Sunni Awakening and U.S. surge succeeded at the same time in 2006–07. As U.S. troops poured in, Sunni sheiks cast their lot with their brethren, unlike previous battles in mostly Sunni cities where they broke and ran.

This fight is winnable. But if the administration whistles past the graveyard and instills its policy is working even as ISIS nears Baghdad and our diplomats there, the White House may face a debacle that makes Bengazi seem minor in comparison.

KECHI OKWUCHI’S ST. THOMAS UNIVERSITY GRADUATION

HON. PETE OLSON
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Mr. OLSON. Mr. Speaker, I rise today to applaud Kechi Okwuchi, for her recent graduation from St. Thomas University in Houston.

Over the past ten years, Kechi has had to overcome many hardships. On December 10, 2005 Kechi was the only survivor of a horrific plane crash at Port Harcourt International Airport in Nigeria where her plane made a crash landing nearly 70 meters off of the runway. The crash claimed the lives of all of the other passengers on board including 108 of Kechi’s classmates and friends. After receiving medical treatment in South Africa, Kechi moved to Pearland to receive medical treatment at Shriner’s Hospital for Children in Galveston. At her May 16th Commencement Ceremony, Kechi was selected to give a speech before crossing the stage and receiving her degree. She has met and conquered many obstacles on her way to receiving her diploma. Her positive outlook throughout it all is truly an inspiration.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Kechi for graduating from St. Thomas University.

JAELYNN WALLS GIRL SCOUTS OF THE USA GOLD AWARD

HON. PETE OLSON
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Mr. OLSON. Mr. Speaker, I rise today to congratulate Jaelynn Walls, for earning the Girl Scouts of the USA Gold Award, the most prestigious Girl Scout honor.
Jaelynn is a tenth-grader at Carnegie Vanguard High School. She earned the award for her diligent work and dedication to spread her “No Texts, No Wrecks” campaign. Jaelynn recruited more than 15 volunteers to accompany her to driving schools in her community to stress the importance of not texting and driving. She has also collected more than 400 pledges from young drivers who promised to not text and drive. Jaelynn has been a member of the San Jacinto Council for 13 years and previously earned the Girl Scout Bronze and Silver Awards. What an accomplished young woman.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Jaelynn Walls for receiving the Girl Scouts of the USA Gold Award.

**IN HONOR OF BRYAN KECK, SCRIPPS NATIONAL SPELLING BEE PARTICIPANT FROM DUBUQUE, IOWA**

**HON. ROD BLUM**

**OF IOWA**

**IN THE HOUSE OF REPRESENTATIVES**

**Tuesday, June 2, 2015**

Mr. BLUM. Mr. Speaker, I rise today to congratulate a constituent from my district, Bryan Keck from Dubuque, Iowa, on his participation in the Scripps National Spelling Bee.

Bryan, a seventh grader at Eleanor Roosevelt Middle School in Dubuque, Iowa, won the Telegraph Herald Media Regional Spelling Bee last March to earn a spot in the national bee. Last week, he and his family traveled to National Harbor, Maryland where 285 spellers from across the United States competed during Bee Week 2015 at the Gaylord National Resort and Convention Center.

In the preliminary round, Bryan correctly spelled “omnivorous”—an adjective meaning “of an animal or person feeding on food of both plant and animal origin.” He also correctly spelled “rhiphiphid”—a noun that classifies certain types of beetles.

In his free time, Bryan enjoys, giving back to his community through the Boy Scouts, going bowling, playing Minecraft, and reading crime novels. He hopes to one day become a federal prosecutor.

I would like to extend my sincerest congratulations, c-o-n-g-r-a-t-u-l-a-t-i-o-n-s, congratulations to Bryan on his participation in the Scripps National Spelling Bee and wish him well in all his future endeavors.

**RECOGNIZING MATTHEW MURRAY**

**HON. PETE OLSON**

**OF TEXAS**

**IN THE HOUSE OF REPRESENTATIVES**

**Tuesday, June 2, 2015**

Mr. OLSON. Mr. Speaker, I rise today to congratulate Matthew Murray for winning Top Male Individual at the 16th Annual Texas State High School Triathlon Championships.

Matthew, a junior at Dawson High School in Pearland, was among almost 250 competitors from around Texas. Each competitor was required to compete in a 500 meter lake swim, 14 mile bike ride and 3 mile run. Matthew’s win speaks to his dedication to the sport and immense athletic ability. This was his second year in a row to win Top Male Individual. He has made his family, coaches and community proud. We wish him the best of luck in his future endeavors.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Matthew for his back-to-back wins of Top Male Individual at this year’s Triathlon Championships.

**HONORING WHEELOCK PUBLIC WORKS DIRECTOR ANTHONY STAVROS**

**HON. ROBERT J. DOLD**

**OF ILLINOIS**

**IN THE HOUSE OF REPRESENTATIVES**

**Tuesday, June 2, 2015**

Mr. DOLD. Mr. Speaker, I rise today to recognize the career and contributions of Wheeling Public Works Director Anthony Stavros.

Mr. Stavros is retiring next month and leaves behind a reputation of strong dedication and commitment to the people of Wheeling, Illinois.

Throughout his career, Mr. Stavros served the Village of Wheeling in various roles and capacities in the Public Works Department. As Director, he oversaw multiple divisions managing parks, infrastructure, and flood and snow operations, all of which are vital to the well-being and safety of the community. A number of his successful projects were recognized by the American Public Works Association including his work on the Cornell Avenue Dam Rehabilitation.

Mr. Stavros leaves a lasting legacy through his integrity, leadership, and commitment to the improvement and maintenance of the Wheeling community. Mr. Speaker, it is my honor to express my gratitude to Mr. Anthony Stavros for his forty-five years of exemplary service.

**CLEMENTS HIGH SCHOOL MIXED RELAY TEAM**

**HON. PETE OLSON**

**OF TEXAS**

**IN THE HOUSE OF REPRESENTATIVES**

**Tuesday, June 2, 2015**

Mr. OLSON. Mr. Speaker, I rise today to congratulate Christy Lee, Yaobin Chen, Mia Craven for earning the Top Mixed Relay Award during the 16th Annual Texas State High School Triathlon Championships.

These Clements High School athletes were among almost 250 competitors from Texas competing in this race. Each relay team was required to compete in a 500 meter lake swim, 14 mile bike ride and 3 mile run. This win speaks to the team’s dedication to the sport and immense athletic ability. We wish the team luck throughout their academic and athletic careers.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Christy, Yaobin, and Mia for winning the Top Mixed Relay award in this year’s Triathlon Championships.
IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. BECERRA. Mr. Speaker, I was unavoidably detained and missed roll call votes 264, 265, 266, and 267. If present, I would have voted "yea" on roll call 264, "yea" on roll call 265, "yea" on roll call 266, and "no" on roll call 267.

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. CROWLEY. Mr. Speaker, on June 1, 2015, I was absent for recorded votes #264 through 267 due to a weather-related flight delay.

I would like to reflect how I would have voted if I were here:

On Roll Call #264 I would have voted yes.
On Roll Call #265 I would have voted yes.
On Roll Call #266 I would have voted yes.
On Roll Call #267 I would have voted no.

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. OLSON. Mr. Speaker, I rise today to congratulate Katie Rinderknecht, Ava Rinderknecht and Sydney Rinderknecht, for winning the Top All-Female Relay during the 16th Annual Texas State High School Triathlon Championships.

Ava and Sydney are sophomores at Cinco Ranch High School, and Katie is a freshman. These young women were among almost 250 competitors at the Triathlon Championships. Each relay team was required to compete in a 500 meter lake swim, 14 mile bike ride and 3 mile run. Their accomplishment recognizes extreme athletic ability, as well as a strong dedication to the sport. We wish each of these young women luck throughout their academic and athletic careers.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Katie, Ava, and Sydney for winning Top All-Female Relay team at this year’s Triathlon Championships.

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. RANGEL. Mr. Speaker, I rise today to honor Sergeant Henry Johnson. Sergeant Henry Johnson epitomizes what it means to be a great American hero and patriot. I thank President Barack Obama for posthumously awarding the Medal of Honor to Sgt. Johnson, a New York native and distinguished member of the 369th Infantry Regiment, popularly known as the ‘Harlem Hellfighters.’ With our nation’s highest honor of valor bestowed upon Sgt. Johnson, his legacy will be enduring and highlighted in the annals of history.

As a black soldier living in the first decades of the 20th Century, Sgt. Johnson never saw the accolades he so rightly deserved during his lifetime. He enlisted in the military soon after Congress declared war on Germany in June 1917, and was assigned to Company C, 15th New York (Colored) Infantry Regiment—an all-black National Guard unit, which would later become the 369th Infantry Regiment of the 93rd Division, American Expeditionary Forces. The following year, the 369th deployed to France where Sgt. Johnson fought off advancing German soldiers who were trying to raid his American camp. Even as he was wounded 21 times, Sgt. Johnson risked his own life to save a fellow soldier from being captured or killed. Indeed, Sgt. Johnson valiantly held back the enemy force until they retreated.

In addition to earning respect from his fellow American and French soldiers, Sgt. Johnson’s remarkable deed of courage inspired other black soldiers like me to salute the flag and serve our country with pride and distinction. As a Korean War Veteran, I learned from Sgt. Johnson and other heroes of the 369th Infantry Regiment who fought in World War I and World War II the true meaning of service and sacrifice for the nation.

Since its inception, the ‘Harlem Hellfighters’ of the 369th Infantry Regiment have participated in every conflict since World War I, including the battles we fight today. I am honored to belong to the 369th Harlem Hellfighter Veterans’ Association based in Harlem of my congressional district. Along with my dear friend Percy Ellis Sutton, Major General Nathaniel James, the first African American Commander of the New York State Guard, Korean War Veteran Donald H. Eaton, Civil Rights Attorney Paul Zuber and William K. Defosset, who served in the U.S. State Department and the New York Police Department were all active members who helped pass my bill in Congress to secure the Federal Charter for the Association. In 2003 when Sgt. Johnson was posthumously awarded the Distinguished Service Cross, we said we would not stop fighting until Sgt. Johnson was awarded the Medal of Honor. The late Filmmaker William Miles who was also a member and documented the history of the Harlem Hellfighters in the film, “Men of Bronze” played a huge role in raising the awareness of Sgt. Johnson’s heroism. Today is a victorious day for all of us, the people of Harlem, African Americans, our comrades in arms, friends in Congress and the community, as it marks a significant milestone in American history. We are exceedingly proud to see that Sgt. Henry Johnson has finally received the proper recognition he has duly earned.

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. CUELLAR. Mr. Speaker, I rise today to recognize the Judson High School women’s track and field team for their second state championship win under the leadership of Coach Renee Gerbirch.

On Saturday, May 16th, the Judson Rockets earned their spot as champions when Darionne Gibson, Dominique Allen, Zantori Dickerson, and Mariah Kyukendall won the gold medal in the final event of the UIL 6A state championship in Austin, the 1,600-meter relay. In the last eleven seasons, the team has won nine regional titles and two state championships. Last year, the Judson Rockets became the first women’s track and field team in the Greater San Antonio area to win a state title in the UIL’s 6A classification.

As well as their triumph in the final event, the team broke the area record for the 200 with senior Kiana Horton’s gold medal-winning performance. Kiana Horton, Talajah Murrell, Konstance James, and Kiara Pickens broke the city and school records for the 400-meter relay, winning the silver medal. They were joined at the championship by junior Maia Campbell, who competed in shot put.

Mr. Speaker, this is a momentous occasion for Judson High School and I am honored to have the opportunity to recognize the Judson Rockets for their record-setting victory.
D626

Tuesday, June 2, 2015

Daily Digest

HIGHLIGHTS
Senate passed H.R. 2048, USA FREEDOM Act.

Senate

Chamber Action
Routine Proceedings, pages S3419–S3635

Measures Introduced: Fourteen bills were introduced, as follows: S. 1473–1486. Pages S3455–56

Measures Reported:
Senate, to improve accountability and transparency in the United States financial regulatory system, protect access to credit for consumers, provide sensible relief to financial institutions. Page S3455

Measures Passed:
USA FREEDOM Act: By 67 yeas to 32 nays (Vote No. 201), Senate passed H.R. 2048, to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, after taking action on the following amendments proposed thereto: Pages S3421-44

Rejected:
By 42 yeas to 56 nays (Vote No. 198), McConnell Amendment No. 1451 (to Amendment No. 1450), relating to appointment of amicus curiae. Pages S3421, S3442

By 44 yeas to 54 nays (Vote No. 199), McConnell Amendment No. 1450 (to Amendment No. 1449), of a perfecting nature. Pages S3421, S3442

By 43 yeas to 56 nays (Vote No. 200), McConnell/Burr Amendment No. 1449, in the nature of a substitute. Pages S3421, S3442–43

During consideration of this measure today, Senate also took the following action:
By 83 yeas to 14 nays (Vote No. 197), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the bill. Pages S3427–28

McConnell/Burr Amendment No. 1452 (to the language proposed to be stricken by Amendment No. 1449), of a perfecting nature. (Senate tabled the amendment.) Pages S3421, S3442

McConnell Amendment No. 1453 (to Amendment No. 1452), to change the enactment date, fell when McConnell/Burr Amendment No. 1452 (to the language proposed to be stricken by Amendment No. 1449) (listed above) was tabled. Pages S3421, S3442

National Defense Authorization Act—Agreement: A unanimous-consent agreement was reached providing that the motion to invoke cloture on the motion to proceed to consideration of H.R. 1735, to authorize appropriations for the fiscal year 2016 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, be withdrawn; that at 11 a.m., on Wednesday, June 3, 2015, Senate begin consideration of the bill, and it be in order for Senator McCain to offer Amendment No. 1463, the text of which is identical to the Senate Committee on Armed Services reported NDAA bill, S. 1376, to authorize appropriations for fiscal year 2016 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 that the time until 2:30 p.m. be for debate only, and equally divided between the bill managers or their designees. Page S3442

Signing Authority—Agreement: A unanimous-consent agreement was reached providing that during today’s session of the Senate, Senator Daines be authorized to sign duly enrolled bills or joint resolutions. Page S3631

Nomination Confirmed: Senate confirmed the following nomination:
Michael Keith Yudin, of the District of Columbia, to be Assistant Secretary for Special Education and Rehabilitative Services, Department of Education. Pages S3631, S3634
Nominations Received: Senate received the following nominations:
Marie Therese Dominguez, of Virginia, to be Administrator of the Pipeline and Hazardous Materials Safety Administration, Department of Transportation.
Sarah Elizabeth Feinberg, of West Virginia, to be Administrator of the Federal Railroad Administration.
Roberta S. Jacobson, of Maryland, to be Ambassador to the United Mexican States.
1 Air Force nomination in the rank of general.
3 Army nominations in the rank of general.
1 Navy nomination in the rank of admiral.
Routine lists in the Army, Marine Corps, and Navy.

Nomination Withdrawn: Senate received notification of withdrawal of the following nomination:
A routine list in the Foreign Service.

Messages from the House: \nmachines

Measures Referred:

Executive Communications:

Additional Cosponsors:

Statements on Introduced Bills/Resolutions:

Additional Statements:

Amendments Submitted:

Authorities for Committees to Meet:

Record Votes: Five record votes were taken today. (Total—201)

Adjournment: Senate convened at 9:30 a.m. and adjourned at 6:35 p.m., until 9:30 a.m. on Wednesday, June 3, 2015. (For Senate’s program, see the remarks of the Majority Leader in today’s Record on page S—–.)

Committee Meetings

Perspectives on the Export-Import Bank

Lifeline Program
Committee on Commerce, Science, and Transportation: Subcommittee on Communications, Technology, Innovation, and the Internet concluded a hearing to examine Lifeline, focusing on improving accountability and effectiveness, after receiving testimony from Michael Clements, Acting Director, Physical Infrastructure Issues, Government Accountability Office; Ronald A. Briese, Florida Public Service Commission Commissioner, Tallahassee, on behalf of the National Association of Regulatory Utility Commissioners; Randolph J. May, The Free State Foundation, Potomac, Maryland; Scott Bergmann, CTIA—The Wireless Association, Washington, D.C.; and Jessica J. González, National Hispanic Media Coalition, Pasadena, California.

Drought in the Western United States
Committee on Energy and Natural Resources: Committee concluded a hearing to examine the status of drought conditions throughout the Western United States and actions states and others are taking to address them, after receiving testimony from Michael Connor, Deputy Secretary of the Interior; Betsy A. Cody, Specialist in Natural Resource Policy, Congressional Research Service, Library of Congress; Thomas Buschatzke, Arizona Department of Water Resources Director, Phoenix; Tom Loranger, Washington State Department of Ecology Program Manager, Olympia; Cannon Michael, The Family Farm Alliance, Los Banos, California; and James D. Ogsbury, Western Governors’ Association, Denver, Colorado.

Internal Revenue Service Data Theft
Committee on Finance: Committee concluded a hearing to examine Internal Revenue Service data theft affecting taxpayer information, after receiving testimony from John A. Koskinen, Commissioner, Internal Revenue Service, and J. Russell George, Inspector General for Tax Administration, both of the Department of the Treasury.

Understanding Iran’s Nuclear Program
Committee on Foreign Relations: Committee received a closed briefing on understanding Iran’s nuclear program from Ernest Moniz, Secretary, Bill Goldstein, Director, Lawrence Livermore National Laboratory, Charlie McMillan, Director, Los Alamos National
Laboratory, and Thom Mason, Director, Oak Ridge National Laboratory, all of the Department of Energy.

IRS DATA BREACH
Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the IRS data breach, focusing on steps to protect Americans’ personal information, after receiving testimony from John A. Koskinen, Commissioner, and Terence V. Millholland, Chief Technology Officer, both of the Internal Revenue Service, Department of the Treasury; Kevin Fu, University of Michigan Department of Electrical Engineering and Computer Science, Ann Arbor; Jeffrey E. Greene, Symantec Corporation, Washington, D.C.; and Mike Kasper, Poughkeepsie, New York.

House of Representatives

Chamber Action
Public Bills and Resolutions Introduced: 21 public bills, H.R. 2602–2622; and 3 resolutions, H. Res. 289–291 were introduced. Pages H3756–58
Additional Cosponsors: Pages H3758–59
Report Filed: A report was filed today as follows:
H. Res. 288, providing for consideration of the bill (H.R. 2289) to reauthorize the Commodity Futures Trading Commission, to better protect futures customers, to provide end-users with market certainty, to make basic reforms to ensure transparency and accountability at the Commission, to help farmers, ranchers, and end-users manage risks, to help keep consumer costs low, and for other purposes (H. Rept. 114–136).

Speaker: Read a letter from the Speaker wherein he appointed Representative Hultgren to act as Speaker pro tempore for today.

Recess: The House recessed at 10:40 a.m. and reconvened at 12 noon.

Journal: The House agreed to the Speaker’s approval of the Journal by a yea-and-nay vote of 240 yeas to 170 nays with two answering “present”, Roll No. 269.


Agreed to:
Guinta amendment that increases funding, by offset, for Drug Courts by $5,000,000; Pages H3675–76
Reichert amendment that increases funding, by offset, for the Edward Byrne Memorial Justice Assistance Grant program by $1,000,000; Pages H3675–77
Nugent amendment that increases funding, by offset, for Justice Programs State and Local Law Enforcement Assistance by $4,000,000; Pages H3679–81
Poe (TX) amendment that increases funding, by offset, for victim services programs for victims of trafficking by $17,300,000; Pages H3681–82
Smith (TX) amendment that redirects $21,000,000 in funding within National Oceanic and Atmospheric Administration corporate services administrative support costs;
Clawson amendment that increases funding, by offset, for operations, research and facilities of the National Oceanic and Atmospheric Administration by $2,000,000;
McKinley amendment that increases funding, by offset, for salaries and expenses of the International Trade Commission by $2,000,000;
Gosar amendment that reduces the general administration account of the Department of Justice by $2,209,500 and increases the general administration account of the Office of Inspector General by $1,709,000;
Brownley (CA) amendment, as modified, that increases funding, by offset, for a veterans treatment courts program by $2,500,000;
MacArthur amendment that increases funding, by offset, for enhanced training and services to end violence against and abuse of women in later life by $750,000;
Michelle Lujan Grisham (NM) that increases funding, by offset, for the Office of Justice state and local law enforcement assistance program by $2,000,000 (by a recorded vote of 417 ayes to 10 noes, Roll No. 272);
Gosar amendment that reduces funding for the salaries, expenses, and general legal activities of the Department of Justice by $1,000,000 and applies the savings to the spending reduction account (by a recorded vote of 228 ayes to 198 noes, Roll No. 273);

Pages H3696–97, H3699–H3700
Cohen amendment that increases funding, by offset, for a grant program for community-based sexual assault response reform by $4,000,000; 

Ted Lieu (CA) amendment that reduces funding for the Drug Enforcement Administration by $9,000,000, increases funding for the Office on Violence Against Women by $4,000,000; and increases funding for programs authorized by the Victims of Child Abuse Act of 1990 by $3,000,000;  

Castro (TX) amendment that increases funding, by offset, to improve community-police relations by $10,000,000;  

Gosar amendment that increases funding, by offset, for veterans treatment courts by $5,000,000;  

Gosar amendment that increases funding, by offset, for a program to monitor prescription drugs and scheduled limited chemical products by $5,000,000;  

Buck amendment that appropriates funds to investigate or act upon applications for relief from Federal firearms disabilities under section 925(c) of title 18, United States Code;  

Moore amendment that increases funding, by offset, for mental health courts and adult and juvenile collaboration grants by $2,000,000;  

Connolly amendment that increases funding, by offset, for veterans treatment court programs by $1,000,000;  

Engel amendment that prohibits funds from being used by the Department of Commerce, the Department of Justice, or any other Federal agency to lease or purchase new light duty vehicles for any executive fleet, or for an agency's fleet inventory, except in accordance with Presidential Memorandum-Federal Fleet Performance, dated May 24, 2011;  

Poe (TX) amendment that prohibits the use of funds made available for the Department of Justice or the FBI to mandate or request that a person alter the product or service of the person to permit the electronic surveillance of any user of such product or service except in the case of mandates or requests authorized under the Communications Assistance for Law Enforcement Act;  

Polis amendment that prohibits the use of funds to execute a subpoena of tangible things pursuant to the Controlled Substances Act that does not include the following sentence: “This subpoena limits the collection of any tangible things (including phone numbers dialed, telephone numbers of incoming calls, and the duration of calls) to those tangible things identified by a term that specifically identifies an individual, account, address, or personal device, and that limits, to the greatest extent reasonably practicable, the scope of the tangible things sought.”;  

Poe (TX) amendment that prohibits the use of funds to enforce section 221 of title 13, United States Code, with respect to the survey, conducted by the Secretary of Commerce, commonly referred to as the “American Community Survey”;  

Goodlatte amendment that prohibits the use of funds to pay the salaries and expenses of personnel of the Department of Justice to negotiate or conclude a settlement with the Federal Government that includes terms requiring the defendant to donate or contribute funds to an organization or individual;  

Carter (TX) amendment that prohibits the use of funds to propose or to issue a rule that would change the Chief Law Enforcement Officer certificate requirement in a manner that has the same substance as the proposed rule published on Sept. 9, 2013;  

Ellison amendment that prohibits the use of funds by the Department of Justice in violation of the Fifth and Fourteenth Amendments to the United States Constitution; or to repeal the guidance provided in the memorandum issued by the Attorney General on March 31, 2015;  

Black amendment that prohibits the use of funds to require, pursuant to section 478.124 to title 27, or section 25.7 of title 28, Code of Federal Regulations, or the Office of Management and Budget Statistical Policy Directive No. 15, Race and Ethnic Standards for Federal Statistics and Administrative Reporting;  

Meadows amendment that prohibits the use of funds to negotiate or enter into a trade agreement that establishes a limit on greenhouse gas emissions for the United States;  

Grayson amendment that prohibits the use of funds to enter into a contract with any offeror or any of its principals if the offeror certifies, as required by Federal Acquisition Regulation;  

Hudson amendment that prohibits the use of funds to treat any M855 or SS. 109 type ammunition as armor piercing ammunition for purposes of chapter 44 of title 18, United States Code;  

Perry amendment that prohibits the use of funds to implement the United States Global Climate Research Program’s National Climate Assessment, the Intergovernmental Report, the United Nation’s Agenda 21 sustainable development plan, or the May 2013 Technical Update of the Social Cost of Carbon for Regulatory Impact Analysis under Executive Order 12866;
Marino amendment that prohibits the use of funds for the Department of Justice’s clemency initiative announced on April 23, 2014, or for Clemency Project 2014, or to transfer or temporarily assign employees to the Office of the Pardon Attorney for the purpose of screening clemency applications; and

Pages H3753–54

Austin Scott (GA) amendment that prohibits the use of funds by the NOAA to enforce:

1) Amendment 40 to the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico published in the Federal Register on April 22, 2015 or 2) Red Snapper in federal waters of the Gulf of Mexico lasting longer than 5 times the number of days recreational fishers are allowed to catch and retain at least two such fish each day in such federal waters.

Pages H3754–55

Rejected:

McClintock amendment that sought to reduce funding for the International Trade Administration by $311,788,000 and apply the savings to the spending reduction account (by a recorded vote of 154 ayes to 263 noes, Roll No. 270);

Pages H3678–79, H3697–98

Esty amendment that sought to increase funding for the Hollings Manufacturing Extension Partnership of the National Institute of Standards of Technology by $11,000,000 and reduce funding for buildings and facilities of the National Prison System by $31,000,000 (by a recorded vote of 213 ayes to 214 noes, Roll No. 271);

Pages H3683–84, H3698

Cohen amendment that sought to increase funding, by offset, for the Legal Services Corporation by $10,000,000 (agreed by unanimous consent to withdraw the earlier request for a recorded vote to the end that the amendment stand adopted in accordance with the previous voice vote thereon);

Pages H3704–05

Byrne amendment that sought to reduce funding for the Bureau of Alcohol, Tobacco, and Firearms salaries and expenses by $250,000,000;

Pages H3707–08

Nadler amendment that sought to strike section 528 of the bill, which prohibits use of funds to construct, acquire, or modify any facility in the U.S., its territories, or possessions to house any individual who as of June 24, 2009, is located at U.S. Naval Air Station, Guantanamo Bay, Cuba; and

Pages H3716–21

Blumenauer amendment that sought to prohibit the use of funds for any inspection under the Controlled Substances Act with respect to narcotic drugs or combinations of such drugs, being dispensed for maintenance or detoxification treatment.

Pages H3734–35

Withdrawn:

Goodlatte amendment that was offered and subsequently withdrawn that would have increased funding, by offset, for Federal Prisoner Detention by $293,000,000;

Pages H3674–75

Poliquin amendment that was offered and subsequently withdrawn that would have increased funding, by offset, for the International Trade Administration by $44,000,000;

Pages H3677–78

Eddie Bernice Johnson (TX) amendment that was offered and subsequently withdrawn that would have redirected $3,000,000 in funding within the NIST Scientific and Technical Research and Services;

Pages H3682–83

Austin Scott (GA) amendment that was offered and subsequently withdrawn that would have reduced funding for the National Oceanic and Atmospheric Administration’s relocation of facilities account by $3,200,000 and applied the savings to the spending reduction account;

Blumenauer amendment that was offered and subsequently withdrawn that would have redirected $60,760,000 in funding within the National Oceanic and Atmospheric Administration’s operations, research, and facilities;

Pages H3684–85

Guinta amendment that was offered and subsequently withdrawn that would have redirected $70,000,000 in funding within the National Oceanic and Atmospheric Administration’s operations, research, and facilities;

Pages H3685–86

Polis amendment that was offered and subsequently withdrawn that would have redirected $30,000,000 in funding within the National Oceanic and Atmospheric Administration’s operations, research, and facilities;

Pages H3686–87

Keating amendment that was offered and subsequently withdrawn that would have redirected $1,750,000 in funding within the National Oceanic and Atmospheric Administration’s operations, research, and facilities;

Pages H3688–89

Bonamici amendment (No. 4 printed in the Congressional Record of June 1, 2015) that was offered and subsequently withdrawn that would have redirected $21,559,000 in funding within the National Oceanic and Atmospheric Administration’s operations, research, and facilities;

Pages H3689–91

Bridenstine amendment that was offered and subsequently withdrawn that would have redirected $9,000,000 in funding within the National Oceanic and Atmospheric Administration’s procurement, acquisition and construction;

Pages H3691
Construction for the National Oceanic and Atmospheric Administration by $380,000,000;  Pages H3691–92

Esty amendment that was offered and subsequently withdrawn that would have struck section 532 from the bill, which prohibits use of funds to pay the salaries or expenses of personnel to deny, or fail to act on, an application for the importation of any model of shotgun if all other requirements of law with respect to the proposed importation are met and no application for the importation of such model of shotgun, in the same configuration, had been denied by the Attorney General prior to January 1, 2011, on the basis that the shotgun was not particularly suitable for or readily adaptable to sporting purposes; and strikes section 537 from the bill, which prohibits the use of funds to require a person licensed under section 923 of title 18, United States Code, to report information to the Department of Justice regarding the sale of multiple rifles or shotguns to the same person;  Pages H3721–22

Schweikert amendment that was offered and subsequently withdrawn that would have prohibited the use of funds to be used to transfer cell site simulators, or IMSI Catcher, or similar cell phone tower mimicking technology to state and local law enforcement that haven’t adopted procedures for the use of such technology that protects the constitutional rights of citizens;  Page H3724

Scott (VA) amendment that was offered and subsequently withdrawn that would have revised amounts in the bill by reducing the amount made available for the Federal Prison Systems salaries and expenses, and increasing the amount made available for Office of Justice Programs, Office of Juvenile Justice Delinquency and Prevention by $69,515,000;  Page H3729

Lee amendment that was offered and subsequently withdrawn that would have provided for States to require all individuals enrolled in an academy of a law enforcement agency of the State and all law enforcement officers of the State fulfill a training session on sensitivity each fiscal year, including training on ethnic and racial bias, cultural diversity, and police interaction with the disabled, mentally ill, and new immigrants;  Pages H3729–30

Poe (TX) amendment that was offered and subsequently withdrawn that would have prohibited the use of funds for DNA analysis and capacity enhancement program and for other local, State, and Federal forensic activities for which funds are made available under this Act as part of the $125 million for DNA-related forensic programs and activities; and  Page H3737

Richmond amendment that was offered and subsequently withdrawn that would have reduced the aggregate amount made available for Federal Prison System salaries and expenses, and by increasing the amount made available for the Office of Justice Programs, Juvenile Justice Programs for youth mentoring grants, by $155,900,000.  Pages H3740–41

Point of Order sustained against:

Collins (GA) amendment that sought to prohibit the use of funds to provide assistance to a State, or political subdivision of a State, that has in effect any law, policy, or procedure in contravention of immigration laws.

Proceedings Postponed:

Pittenger amendment that seeks to increase funding, by offset, for salaries and expenses of the FBI by $25,000,000;  Pages H3701–02

Nadler amendment that seeks to strike section 527 of the bill, which prohibits use of funds to transfer, release, or assist in the transfer or release to or within the U.S., its territories, or possessions Khalid Sheikh Mohammed or any other detainee who is not a U.S. citizen or a member of the Armed Forces of the U.S. and is or was held on or after June 24, 2009, at the U.S. Naval Station, Guantanamo Bay, Cuba, by the Department of Defense;

Farr amendment that seeks to strike section 540 from the bill, which prohibits use of funds to facilitate, permit, license, or promote exports to the Cuban military or intelligence service or to any officer of the Cuban military or intelligence service, or an immediate family member thereof;  Pages H3722–24

Blackburn amendment (No. 1 printed in the Congressional Record of June 1, 2015) that seeks to reduce amounts made available by 1 percent, except those amounts made available to the Federal Bureau of Investigation and certain accounts of the Department of Justice;

Foster amendment that seeks to prohibit the use of funds to fund any Experimental Program to Stimulate Competitive Research (EPSCoR) program;

Bonamici amendment (No. 9 printed in the Congressional Record of June 1, 2015) that seeks to prohibit funds from being used by the Department of Justice to prevent a State from implementing its own State laws that authorize the use, distribution, possession, or cultivation of industrial hemp, as defined in section 7606 of the Agricultural Act of 2014;

Ellison amendment that seeks to prohibit the use of funds to enter into a contract with any person whose disclosures of a proceeding with a disposition listed in section 2315(c)(1) of title 41, United States Code, in the Federal Awardee Performance and Integrity Information System include the term “Fair Labor Standards Act”;

Pages H3738–39
Grayson amendment that seeks to prohibit the use of funds to negotiate or enter into a trade agreement whose negotiating texts are confidential;

Rohrabacher amendment that seeks to prohibit the use of funds by various states to prevent any of them from implementing their own laws that authorize the use, distribution, possession, or cultivation of medical marijuana;

Grayson amendment that seeks to prohibit the use of funds to compel a person to testify about information or sources that the person states in a motion to quash the subpoena that he has obtained as a journalist or reporter and that he regards as confidential;

McClintock amendment that seeks to prohibit the use of funds by various states to prevent any of them from implementing their own laws that authorize the use, distribution, possession, or cultivation of marijuana on non-Federal lands within their respective jurisdictions;

Perry amendment that seeks to prohibit the use of funds to take any action to prevent a State from implementing any law that makes it lawful to possess, distribute, or use cannabidiol oil; and

Garrett amendment that seeks to prohibit the use of funds to enforce the Fair Housing Act in a manner that relies upon an allegation of liability under section 100.500 of title 24, Code of Federal Regulations.

H. Res. 287, the rule providing for consideration of the bills (H.R. 2577) and (H.R. 2578) was agreed to by a yea-and-nay vote of 242 yeas to 180 nays, Roll No. 268, after the previous question was ordered.

Senate Message: Message received from the Senate today appears on page H3694.

Quorum Calls—Votes: Two yea-and-nay votes and four recorded votes developed during the proceedings of today and appear on pages H3658–59, H3659, H3697–98, H3698–99 and H3699–H3700. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 2:05 a.m. on Wednesday, June 3, 2015.

Committee Meetings

UPDATE ON THE FINANCIAL HEALTH OF FARM COUNTRY

Committee on Agriculture: Subcommittee on General Farm Commodities and Risk Management held a hearing entitled “Update on the Financial Health of Farm Country”. Testimony was heard from Nathan Kauffman, Assistant Vice President and Omaha Branch Executive, Omaha Branch, Federal Reserve Bank of Kansas City; and public witnesses.

MISCELLANEOUS MEASURE

Committee on Appropriations: Full Committee held a markup on the Defense Appropriations Bill for FY 2016. The Defense Appropriations Bill for FY 2016 was ordered reported, as amended.

QUADRENNIAL ENERGY REVIEW AND RELATED DISCUSSION DRAFTS

Committee on Energy and Commerce: Subcommittee on Energy and Power held a hearing entitled “Quadrennial Energy Review and Related Discussion Drafts”. Testimony was heard from Ernest Moniz, Secretary, Department of Energy; Scott Martin, Commissioner, Lancaster County, Pennsylvania; and public witnesses.

MEDICAID PROGRAM INTEGRITY: SCREENING OUT ERRORS, FRAUD, AND ABUSE

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled “Medicaid Program Integrity: Screening Out Errors, Fraud, and Abuse”. Testimony was heard from Seto J. Bagdoyan, Director, Audit Services, Forensic Audits and Investigative Service, Government Accountability Office; and Shantanu Agrawal, M.D., Deputy Administrator and Director, Center for Program Integrity, Centers for Medicare and Medicaid Services, Department of Health and Human Services.

AN UPDATE ON THE TAKATA AIRBAG RUPTURES AND RECALLS

Committee on Energy and Commerce: Subcommittee on Commerce, Manufacturing and Trade held a hearing entitled “An Update on the Takata Airbag Ruptures and Recalls”. Testimony was heard from Mark R. Rosekind, Administrator, National Highway Traffic Safety Administration; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Energy and Commerce: Full Committee began a markup on H.R. 2576, the “TSCA Modernization Act of 2015”; and H.R. 2583, the “Federal Communications Commission Process Reform Act of 2015”.

THE NATIONAL FLOOD INSURANCE PROGRAM: OVERSIGHT OF SUPERSTORM SANDY CLAIMS

Committee on Financial Services: Subcommittee on Housing and Insurance held a hearing entitled “The National Flood Insurance Program: Oversight of Superstorm Sandy Claims”. Testimony was heard from Brad Kieserman, Deputy Associate Administrator, Insurance, Federal Insurance and Mitigation
Administration, Federal Emergency Management Agency.

AMERICANS DETAINED IN IRAN; MISCELLANEOUS MEASURE

Committee on Foreign Affairs: Full Committee held a hearing entitled “Americans Detained in Iran”; and a markup on H. Res. 233, expressing the sense of the House of Representatives that Iran should immediately release the three United States citizens it holds, as well as provide all known information on any United States citizens that have disappeared within its borders. Testimony was heard from public witnesses. H. Res. 233 was ordered reported, without amendment.

STATE DEPARTMENT’S COUNTERTERRORISM BUREAU

Committee on Foreign Affairs: Subcommittee on Terrorism, Nonproliferation, and Trade held a hearing entitled “State Department’s Counterterrorism Bureau”. Testimony was heard from Charles Johnson, Jr., Director, International Security Issues, International Affairs and Trade, Government Accountability Office; and Justin Siberell, Deputy Coordinator for Regional Affairs and Programs, Bureau of Counterterrorism, Department of State.

THE OUTER RING OF BORDER SECURITY: DHS’S INTERNATIONAL SECURITY PROGRAMS


LEGISLATIVE MEASURES

Committee on the Judiciary: Subcommittee on Regulatory Reform, Commercial and Antitrust Law held a hearing on H.R. 2315, the “Mobile Workforce State Income Tax Simplification Act of 2015”; H.R. 1643, the “Digital Goods and Services Tax Fairness Act of 2015”; and the “Business Activity Tax Simplification Act of 2015”. Testimony was heard from public witnesses.

BUSINESS MEETING; FIRST AMENDMENT PROTECTIONS ON PUBLIC COLLEGE AND UNIVERSITY CAMPUSES

Committee on the Judiciary: Subcommittee on the Constitution and Civil Justice held a business meeting to adopt rules of procedure for Private Claims Bills; and a hearing entitled “First Amendment Protections on Public College and University Campuses”. The rules of procedure for Private Claims Bills were adopted. Testimony was heard from public witnesses.

ENSURING TRANSPARENCY THROUGH THE FREEDOM OF INFORMATION ACT

Committee on Oversight and Government Reform: Full Committee held a hearing entitled “Ensuring Transparency through the Freedom of Information Act (FOIA)”. Testimony was heard from public witnesses.

COMMODITY END-USER RELIEF ACT

Committee on Rules: Full Committee held a hearing on H.R. 2289, the “Commodity End-User Relief Act”. The committee granted, by record vote of 8–2, 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 Agriculture. The rule waives all points of order against consideration of the bill. The rule makes in order as original text for purpose of amendment an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114–18 and provides that it shall be considered as read. The rule waives all points of order against that amendment in the nature of a substitute. The rule makes in order only those further amendments printed in the Rules Committee report. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question. The rule waives all points of order against the amendments printed in the report. The rule provides one motion to recommit with or without instructions. In section 2, the rule provides that the Committee on Appropriations may, at any time before 5 p.m. on Friday, June 5, 2015, file privileged reports to accompany measures making appropriations for the fiscal year ending September 30, 2016. Testimony was heard from Chairman Conaway and Representative Peterson.
OVERSIGHT OF THE AMTRAK ACCIDENT IN PHILADELPHIA

Committee on Transportation and Infrastructure: Full Committee held a hearing entitled “Oversight of the Amtrak Accident in Philadelphia”. Testimony was heard from Christopher Hart, Chairman, National Transportation Safety Board; Sarah Feinberg, Acting Administrator, Federal Railroad Administration; and public witnesses.

LEGISLATIVE MEASURES

Committee on Veterans’ Affairs: Subcommittee on Economic Opportunity held a hearing on H.R. 356, the “Wounded Warrior Employment Improvement Act”; H.R. 832, the “Veterans Employment and Training Service Longitudinal Study Act of 2015”; H.R. 1994, the “VA Accountability Act of 2015”; H.R. 2133, the “Servicemembers’ Choice in Transition Act”; H.R. 2275, the “Jobs for Veterans Act of 2015”; H.R. 2344, to amend title 38, United States Code, to make certain improvements in the vocational rehabilitation programs of the Department of Veterans Affairs; H.R. 2560, to amend title 38, United States Code, to improve the approval of certain programs of education for purposes of educational assistance provided by the Department of Veterans Affairs; H.R. 2361, to amend title 38, United States Code, to extend the authority to provide work-study allowance for certain activities by individuals receiving educational assistance by the Secretary of Veterans Affairs; and a draft bill to amend title 38, United States Code, to make certain modifications and improvements in the transfer of unused educational assistance benefits under the Post 9/11 Educational Assistance Program of the Department of Veterans Affairs, and for other purposes. Testimony was heard from Representatives Flores; Cook; and Sean Patrick Maloney of New York; Curtis L. Coy, Deputy Under Secretary for Economic Opportunity, Veterans Benefits Administration, Department of Veterans Affairs; Teresa W. Gerton, Acting Assistant Secretary, Veterans’ Employment and Training Service, Department of Labor; Susan S. Kelly, Director, Transition to Veterans Program Office, Office of the Under Secretary of Defense for Personnel and Readiness, Department of Defense; and public witnesses.

MISCELLANEOUS MEASURES


Joint Meetings

No joint committee meetings were held.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, p. D613)


H.R. 2353, to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund. Signed on May 29, 2015. (Public Law 114–21)

S. 178, to provide justice for the victims of trafficking. Signed on May 29, 2015. (Public Law 114–22)

COMMITTEE MEETINGS FOR WEDNESDAY, JUNE 3, 2015

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Environment and Public Works: to hold hearings to examine challenges and implications of EPA’s proposed national ambient air quality standard for ground-level ozone, including S. 638, to amend the Clean Air Act with respect to exceptional event demonstrations, S. 751, to improve the establishment of any lower ground-level ozone standards, and S. 640, to amend the Clean Air Act to delay the review and revision of the national ambient air quality standards for ozone, 9:30 a.m., SD–406.

Committee on Finance: business meeting to consider an original bill entitled, “Audit & Appeal Fairness, Integrity, and Reforms in Medicare Act of 2015”, 10 a.m., SD–215.

Committee on Foreign Relations: to hold hearings to examine implications of the Iran nuclear agreement for United States policy in the Middle East, 9:30 a.m., SD–419.
Committee on Health, Education, Labor, and Pensions: to hold hearings to examine reauthorizing the Higher Education Act, focusing on ensuring college affordability, 10 a.m., SD–430.

Committee on Homeland Security and Governmental Affairs: to hold hearings to examine top government investigator positions left unfilled for years, 10 a.m., SD–342.

Committee on Small Business and Entrepreneurship: business meeting to consider S. 1292, to amend the Small Business Act to treat certain qualified disaster areas as HUBZones and to extend the period for HUBZone treatment for certain base closure areas, an original bill entitled, “Recovery Improvements for Small Entities (RISE) After Disaster Act of 2015”, an original resolution expressing the sense of the Committee on Small Business and Entrepreneurship of the Senate that the rule relating to the definition of the term “waters of the United States” under the Clean Water Act will have a significant economic impact on a substantial number of small entities, the nomination of Douglas J. Kramer, of Kansas, to be Deputy Administrator of the Small Business Administration, and other pending calendar business, 10 a.m., 1044 Longworth.

Committee on Veterans’ Affairs: to hold hearings to examine S. 207, to require the Secretary of Veterans Affairs to use existing authorities to furnish health care at non-Department of Veterans Affairs facilities to veterans who live more than 40 miles driving distance from the closest medical facility of the Department that furnishes the care sought by the veteran, S. 297, to revive and expand the Intermediate Care Technician Pilot Program of the Department of Veterans Affairs, S. 425, to amend title 38, United States Code, to provide for a five-year extension to the homeless veterans reintegration programs and to provide clarification regarding eligibility for services under such programs, S. 471, to improve the provision of health care for women veterans by the Department of Veterans Affairs, S. 684, to amend title 38, United States Code, to improve the provision of services for homeless veterans, and other pending calendar business, 2:30 p.m., SR–418.

House

Committee on Agriculture, Full Committee, hearing entitled “Review of Agricultural Subsidies in Foreign Countries”, 10 a.m., 1300 Longworth.

Committee on Appropriations, Subcommittee on State, Foreign Operations, and Related Programs, markup on State, Foreign Operations, and Related Programs Appropriations Bill, FY 2016, 10:30 a.m., H–140 Capitol.

Committee on the Budget, Full Committee, hearing entitled “The Congressional Budget Office: Oversight Hearing”, 10 a.m., 210 Cannon.

Committee on Education and the Workforce, Full Committee, hearing entitled “Compulsory Unionization through Grievance Fees: The NLRB’s Assault on Right-to-Work”, 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Full Committee, markup on H.R. 2576, the “TSCA Modernization Act of 2015”; and H.R. 2583, the “Federal Communications Commission Process Reform Act of 2015” (continued), 10 a.m., 2123 Rayburn.


Committee on Financial Services, Full Committee, hearing entitled “Examining the Export-Import Bank’s Reauthorization Request and the Government’s Role in Export Financing”, 10 a.m., 2128 Rayburn.

Committee on Foreign Affairs, Subcommittee on the Middle East and North Africa, hearing entitled “U.S. Policy Towards ISIL After Terror Group Seizes Ramadi and Palmyra”, 12 p.m., 2172 Rayburn.


Committee on Homeland Security, Full Committee, hearing entitled “Terrorism Gone Viral: The Attack in Garland, Texas and Beyond”, 10 a.m., 311 Cannon.

Committee on House Administration, Full Committee, hearing entitled “House Officer Priorities for 2016 and Beyond”, 1 p.m., 1310 Longworth.

Committee on Natural Resources, Subcommittee on Federal Lands, hearing on a discussion draft entitled the “Returning Resilience to our Overgrown, Fire-prone National Forests Act of 2015”, 2 p.m., 1324 Longworth.

Committee on Oversight and Government Reform, Full Committee, hearing entitled “Ensuring Agency Compliance with the Freedom of Information Act (FOIA)”, 9 a.m., 2154 Rayburn.

Committee on Small Business, Full Committee, hearing entitled “The Road Ahead: Small Businesses and the Need for a Long-Term Surface Transportation Reauthorization”, 11 a.m., 2360 Rayburn.

Committee on Veterans’ Affairs, Subcommittee on Health, hearing entitled “Assessing VA’s Ability to Promptly Pay Non-VA Providers”, 10 a.m., 334 Cannon.

Committee on Ways and Means, Subcommittee on Human Resources, hearing entitled “Protecting the Safety Net from Waste, Fraud, and Abuse”, 10 a.m., 1100 Longworth.

Joint Meetings

Joint Economic Committee: to hold hearings to examine the employment effects of the Affordable Care Act, 2:30 p.m., SD–562.
Next Meeting of the SENATE
9:30 a.m., Wednesday, June 3

Senate Chamber

Program for Wednesday: After the transaction of any morning business (not to extend beyond 11 a.m.), Senate will begin consideration of H.R. 1735, National Defense Authorization Act.

Next Meeting of the HOUSE OF REPRESENTATIVES
10 a.m., Wednesday, June 3

House Chamber


Extensions of Remarks, as inserted in this issue

HOUSE

Aguilar, Pete, Calif., E812
Barr, Andy, Ky., E814, E816, E822
Becerra, Xavier, Calif., E824, E826
Blunt, Roy, Iowa, E825
Coffman, Mike, Colo., E819
Crowley, Joseph, N.Y., E826
Cuellar, Henry, Tex., E823, E825, E826
Currie, Carlos, Fla., E816
Delaney, John K., Md., E811
Dent, Charles W., Pa., E811, E813
Dold, Robert J., Ill., E825
Duffy, Sean P., Wisc., E826
Farenthold, Blake, Tex., E817
Fincher, Stephen Lee, Tenn., E819
Gutierrez, Luis V., Ill., E824
Huffman, Jared, Calif., E811
Hurd, Will, Tex., E812
Jackson Lee, Sheila, Tex., E818, E821
Kato, John, N.Y., E812
King, Peter T., N.Y., E823
Langevin, James R., R.I., E813
Maloney, Carolyn B., N.Y., E815, E822
Marino, Betty, Minn., E820
McDermott, Jim, Wash., E820
Norton, Eleanor Holmes, D.C., E814, E816
Olson, Pete, Tex., E823, E824, E825, E826
Pittenger, Robert, N.S., E815
Quigley, Mike, Ill., E819
Rangel, Charles B., N.Y., E826
Roe, David P., Tenn., E817
Ryan, Tim, Ohio, E812
Sabanes, John P., Md., E811
Smith, Jason, Mo., E817, E818, E819, E822
Takai, Mark, Hawaii, E818
Thompson, Bennie G., Miss., E813, E815, E816, E817, E818, E819, E821, E822
Vargas, Juan, Calif., E815
Wilson, Joe, S.C., E819
Zinke, Ryan K., Mont., E811

FINANCIAL SERVICES

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