bill S. 2943, supra; which was ordered to lie on the table.

SA 4342. Mr. UDALL submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4343. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4344. Mr. SULLIVAN (for himself, Mr. WANGENSTEIN, Mr. RYAN, and Mr. KINKIN) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4345. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4346. Mr. PORTMAN (for himself and Mr. MURPHY) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4347. Mr. KAINE (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4348. Ms. BALDWIN submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4349. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4350. Mr. WARNER (for himself, Mr. CARPER, and Mr. COX) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4351. Mr. REID (for Mr. BLUMENTHAL) submitted an amendment intended to be proposed by Mr. Reid to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4352. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4353. Mr. SCHATZ (for himself and Mr. SASSI) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4354. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4355. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4356. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4357. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4358. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4359. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4360. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4361. Mr. LEAHY (for himself and Mr. SAXBY) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4362. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4363. Mr. BROWN (for himself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4364. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4365. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4366. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4367. Mr. JOHNSON (for himself and Mr. CARPER) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4368. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4369. Mr. DURBIN (for himself, Mr. COCHRAN, Mr. REID, Mr. BLUMENTHAL, Ms. MURKOWSKI, Ms. FINSTEN, Ms. COLLINS, Ms. RUBEN, Ms. CASEY, and Mr. SHERLY) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4370. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4371. Mrs. McCASKILL submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4237. Mr. INHOFE (for himself, Mr. DONNELLY, Mr. HATCH, Mr. KAINÉ, and MR. ROUNDS) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 4238. Mr. PERDUE submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 1236. PROHIBITION ON ENTRY INTO CONTRACTS WITH ENTITIES THAT HAVE CONTROLLED A NUCLEAR PROJECT OR OPERATION BY THE RUSSIAN FEDERATION OF THE INTERMEDIATE-RANGE NUCLEAR FORCES TREATY.

(a) PROHIBITION.—

(1) IN GENERAL.—No funds authorized to be appropriated or otherwise made available for a department or agency of the United States Government for a fiscal year after fiscal year 2016 may be used to enter into a contract with a person or entity that the Secretary of State determines has materially contributed to any violation of the Intermediate-Range Nuclear Forces (INF) Treaty by the Russian Federation during the last calendar year ending before the calendar year in which such fiscal year begins.

(2) DETERMINATIONS.—Any determination made under paragraph (1) shall be made in connection with the preparation by the Secretary of the annual report on arms control, nonproliferation, and disarmament pursuant to section 463 of the Arms Control and Disarmament Act (22 U.S.C. 2593a).

(b) WAIVER.—

(1) IN GENERAL.—The President may waive the prohibition in subsection (a)(1) with respect to entry into any particular contract if the President determines that the waiver is in the national security interest of the United States.

(2) REPORT.—The President shall submit to the appropriate committees of Congress a report on any waiver made under this subsection.

(c) DEFINITIONS.—In this section:

(1) The term "appropriate committees of Congress" means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.


SA 4239. Mr. LANKFORD submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XII, add the following:
SEC. 764. REPORT ON FEASIBILITY AND ADVISABILITY OF ALIGNMENT OF PRESCRIPTION DRUG BUYING PROGRAMS OF THE DEPARTMENT OF DEFENSE AND THE DEPARTMENT OF VETERANS AFFAIRS.

(a) In General.—Not later than January 31, 2017, the Secretary of Defense and the Secretary of Veterans Affairs shall jointly submit to Congress a report on the feasibility of aligning the structure, statutory parameters, and regulatory guidance for prescription drug buying programs of the Department of Defense and the Department of Veterans Affairs to increase buying power and reduce costs.

(b) Elements.—The report required by subsection (a) shall include—

(1) an assessment of the feasibility, advisability, costs, and benefits of aligning the prescription drug buying programs of the Department of Defense and the Department of Veterans Affairs; and

(2) a timeline to implement such alignment.

SA 4241. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VII, add the following:

SEC. 1231. EXTENSION AND ENHANCEMENT OF UKRAINE SECURITY ASSISTANCE INITIATIVE.

(a) FUNDING.—Section 1230 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1068) is amended—

(1) in subsection (a), by striking “Of the amounts” and all that follows through “shall be available to” and inserting “Amounts available for a fiscal year under subsection (f) shall be available to”;

(2) by redesignating subsection (f) as subsection (g); and

(3) by inserting after subsection (g) the following new subsection (f):

“(f) FUNDING.—From amounts authorized and available for purposes other than assistance and support described in subsection (a) for fiscal year 2017 under subsection (b), $250,000,000 of the amount available for this section for fiscal year 2017 under subsection (f) shall be available in accordance with paragraph (5)(B).”

(5) Use.—In the event funds described in paragraph (2)(B) are not used in fiscal year 2017 for defensive lethal and critical assistance described in paragraphs (2) and (3) of subsection (b) by reason of a determination under paragraph (3), and funds described in paragraph (4) are not available under that paragraph in that fiscal year by reason of the lack of a certification described in paragraph (4)(B), of the amount available for this section under subsection (f) for fiscal year 2017—

“(A) $250,000,000 may be used for assistance and support described in subsection (a) for the defense industrial sector; and

“(B) $250,000,000 may be used for purposes described in paragraph (3), of which not more...
than $150,000,000 may be used for such purposes for a particular foreign country.

(6) NOTICE TO CONGRESS.—Not later than 15 days before providing assistance or training under subsection (a), (b), (c), (d), (e), or (f), the Secretary of Defense shall submit to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives a notification containing the following:

(A) The recipient foreign country.

(B) The description of the assistance or training to be provided, including—

(i) the objectives of such assistance or training;

(ii) the budget for such assistance or training; and

(iii) the expected or estimated timeline for delivery of such assistance or training.

(C) Such other matters as the Secretary considers appropriate.

(d) CONSTRUCTION WITH OTHER AUTHORITY.—Such section is further amended by inserting after subsection (f), as amended by subsection (a)(3) of this section, the following new subsection (g):

(g) CONSTRUCTION WITH OTHER AUTHORITY.—The authority to provide assistance and support pursuant to subsection (a), and the authority to provide assistance and training pursuant to subsection (c) is in addition to authority to provide assistance and support under title X, United States Code, the Foreign Assistance Act of 1961, the Arms Export Control Act, or any other provision of law.

(e) EXTENSION.—Subsection (h) of such section, as redesignated by subsection (a)(2) of this section, is amended by striking “December 31, 2017” and inserting “December 31, 2019”.


SA 4244. Mr. REED submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. AUTHORITY TO ENTER INTO CERTAIN LEASES AT THE DEPARTMENT OF VETERANS AFFAIRS WEST LOS ANGELES CAMPUSES.

(a) IN GENERAL.—The Secretary of Veterans Affairs may carry out leases described in subsection (b) at the Department of Veterans Affairs West Los Angeles Campus in Los Angeles, California (in this section referred to as the “Campus”).

(b) LEASES DISCLOSURE.—Leases described in this subsection are the following:

(1) Any enhanced-use lease of real property under subchapter V of chapter 81 of title 38, United States Code, for purposes of providing supportive housing, as that term is defined in section 816(i) of such title, that principally benefit veterans and their families.

(2) Any lease of real property for a term not to exceed 50 years to a third party to provide services that principally benefit veterans and their families and that are limited to one or more of the following purposes:

(A) The promotion of health and wellness, including nutrition and spiritual wellness.

(B) Education.

(C) Vocational training, skills building, or other training related to employment.

(D) Peer activities, socialization, or physical recreation.

(E) Assistance with legal issues and Federal benefits.

(F) Volunteerism.

(G) Family support services, including child care.

(H) Transportation.

(I) Services in support of one or more of the purposes specified in subparagraphs (A) through (H).

(3) A lease of real property for a term not to exceed 10 years to The Regents of the University of California, a corporation organized under the laws of the State of California, on behalf of its University of California, Los Angeles (UCLA) campus (in this section referred to as “The Regents”), if—

(A) The lease is consistent with the master plan described in subsection (g); and

(B) The provision of services to veterans is the predominant focus of the activities of The Regents at the Campus during the term of the lease;

(C) The Regents expressly agree to provide, during the term of the lease and in a manner that the Secretary considers appropriate, additional services and support (for which The Regents are not compensated by the Secretary or through an existing medical affiliation agreement) that—

(i) principally benefit veteran and their families, including veterans who are severely disabled, women, aging, or homeless; and

(ii) may consist of activities relating to the medical, clinical, therapeutic, dietary, rehabilitative, legal, mental, spiritual, physical, recreational, research, and counseling needs of veterans and their families, or any of the purposes specified in section 8151 of such title.

(d) REVENUES FROM LEASES AT THE CAMPUS.—Any funds received by the Secretary
under a lease described in subsection (b) shall be credited to the applicable Department medical facilities account and shall be available, without fiscal year limitation and without regard to appropriation, exclusively for the renovation and maintenance of the land and facilities at the Campus.

(e) LEASES.—

(1) IN GENERAL.—Notwithstanding any other provision of law (other than Federal laws relating to environmental and historic preservation) to the contrary, the Secretary may enter into leases of property described in subsection (a) of title 38, United States Code, for the purpose of providing such public utilities.

(2) IMPROVEMENTS.—Any improvements proposed pursuant to an easement or right-of-way established by paragraph (1) shall be subject to such terms and conditions as the Secretary considers appropriate.

(f) PROHIBITION ON SALE OF PROPERTY.—Notwithstanding section 8164 of title 38, United States Code, the Secretary may not sell or otherwise convey to a third party any real property or improvements to real property made at the United States—

(g) CONFORMING AMENDMENTS.—

(1) LAWS RELATING TO LEASES AND LAND USE.—If the Inspector General of the Department of Veterans Affairs determines, as part of an audit report or evaluation published by the Inspector General, that the Department is not in compliance with all Federal laws relating to leases and land use at the Campus, or that significant mismanagement has occurred with respect to leases or land use at the Campus, the Secretary may not enter into any lease or land-sharing agreement at the Campus, or renew any such lease or land-sharing agreement that is not in compliance with such laws, until the Secretary certifies to the Committee on Veterans' Affairs of the Senate, the Committee on Veterans' Affairs of the House of Representatives, and each Member of the Senate and the House of Representatives who represents the area in which the Campus is located of the intent of the Secretary to enter into or renew the lease or land-sharing agreement not later than 45 days before entering into or renewing the lease or land-sharing agreement.

(2) ANNUAL REPORT.—Not later than one year after the date of the enactment of this Act, and not less frequently than annually thereafter, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate, the Committee on Veterans' Affairs of the House of Representatives, and each Member of the Senate and the House of Representatives who represents the area in which the Campus is located an annual report evaluating all leases and land-sharing agreements carried out at the Campus, including—

(A) an evaluation of the management of the revenue generated by the leases; and

(B) the records described in subsection (b)(3)(D).

(3) INSPECTOR GENERAL REPORT.—

(1) IN GENERAL.—Not later than two years and five years after the date of the enactment of this Act, and as determined necessary by the Inspector General of the Department of Veterans Affairs thereafter, the Inspector General shall submit to the Committee on Veterans' Affairs of the Senate, the Committee on Veterans' Affairs of the House of Representatives, and each Member of the Senate and the House of Representatives who represents the area in which the Campus is located a report on the management of the use of land at the Campus, including an assessment of the efforts of the Department to implement the master plan described in subsection (g)(2) with such report.

(2) CONSIDERATION OF ANNUAL REPORT.—In preparing each report required by subparagraph (A), the Inspector General shall take into account any report submitted to Congress by the Secretary under paragraph (1).

(k) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as a limitation on the authority of the Secretary to enter into other agreements regarding the Campus that are authorized by law and not inconsistent with this section.

(l) PRINCIPALLY BENEFIT VETERANS AND THEIR FAMILIES DEFINED.—In this section the term "principally benefit veterans and their families" has the same meaning as provided in section 1097 of the National Defense Authorization Act for Fiscal Year 2017, as amended by section 1097 of the National Defense Authorization Act for Fiscal Year 2018, except that the term includes services provided by a person or entity under a lease of property or land-sharing agreement.

(1) provided exclusively to veterans and their families; or

(2) excludes services in which the only benefit to veterans and their families is the generation of revenue for the Department of Veterans Affairs.
by which the Secretary can implement that decision and a plan to carry out that proposal.

SA 4248. Ms. HEITKAMP submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 809, after line 24, add the following:

(3) by redesignating paragraphs (2) and (3) as subsections (b) and (c), respectively, and by moving those subsections, as so redesignated, 2 ems to the left; and
(4) by striking “paragraph (1)” each place it appears and inserting “subsection (a)”; and

SA 4250. Mrs. SHAHEEN for herself, Mr. MCCAIN, Mr. REED, and Mr. TILLIS submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XII, add the following:

SEC. 1216. MODIFICATION OF PROTECTION FOR AFGHAN ALLIES.

(a) NUMERICAL LIMITATIONS.—Subparagraph (F) of section 602(b)(3) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note) is amended—


(2) in the matter preceding clause (i)—
(A) by striking “exhausted,” and inserting “exhausted,”; and

(B) by striking “7,000” and inserting “11,000”;

(3) in clause (i), by striking “December 31, 2016” and inserting “December 31, 2017”; and

(i) in clause (ii), by striking “December 1, 2016” and inserting “December 31, 2017”; and

(ii) in clause (iii), by striking “December 31, 2016” and inserting “December 31, 2017”;

(b) PLAN TO Bring Afghan SIV Program to a Responsible End.—Section 602(b) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note) is amended by adding at the end the following:

“(17) PLAN TO Bring Afghan SIV Program to a Responsible End.—

(A) IN GENERAL.—Not later than 120 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2018, whichever is earlier, the Secretary of Defense and Secretary of State, in consultation with the Secretary of Homeland Security, the Chairman of the Joint Chiefs of Staff, the Commander of United States Central Command, and the Commander Resolute Support/United States Forces – Afghanistan, shall submit to the appropriate committees of Congress a report detailing a strategy for bringing the program under this title to provide special immigrant status to certain Afghans to a responsible end by or before December 31, 2019, or as soon thereafter as practicable consistent with the national security interests of the United States.

(B) CONTENT.—The report required by subparagraph (A) shall address, at a minimum, the following:

(i) The number of visas that would be required to meet existing or reasonably projected commitments, taking into account the need to support a continued United States Government presence in Afghanistan.

(ii) An estimate of how long such visas should remain available.

(iii) A assessment of whether other existing programs would be adequate to incentivize existing or reasonably projected commitments, taking into account the need to support a continued United States Government presence in Afghanistan.

(iv) An estimate of how long such visas should remain available.

(iv) A description of potential alternative programs that could be considered if existing programs are inadequate.”.

SA 4252. Mr. TESTER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. REVIEW AND UPDATE OF GUIDANCE REGARDING SECURITY CLEARANCES FOR CERTAIN SENATE EMPLOYEES.

(a) DEFINITIONS.—In this section—

(1) the term ‘‘covered committee of the Senate’’ means—

(A) the Committee on Armed Services of the Senate;

(B) the Committee on Foreign Relations of the Senate;

(C) the Subcommittee on Defense of the Committee on Appropriations of the Senate;

(D) the Subcommittee on State, Foreign Operations, and Related Programs of the Committee on Appropriations of the Senate;

(E) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(F) the Committee on the Judiciary of the Senate;

(2) the term ‘‘covered Member of the Senate’’ means a Member of the Senate who serves on a covered committee of the Senate; and

(3) the term ‘‘Senate employee’’ means an employee whose pay is disbursed by the Secretary of the Senate.

(b) REVIEW OF PROCEDURES.—

(1) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Director of National Intelligence and the Chairperson of the Intelligence Community may submit to the appropriate committees of Congress a report describing any changes that the Director believes are necessary to improve the effectiveness of the program to provide security clearances, including踌躇, for classified national security information, including top secret and sensitive

SA 4251. Mr. DAINES (for himself, Mr. TESTER, Mr. RUBIO, Mr. PORTMAN, and Mr. BURR) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title VI, add the following:

SEC. 733. REPEAL OF AUTHORITY OF THE PRESIDENT TO DETERMINE AN ALTERNATIVE APPROACH TO IMPLEMENTATION OF THE TRADE SANCTIONS REFORM AND EXPORT CONTROL ENHANCEMENT ACT OF 2000 (22 U.S.C. 7207) is hereby amended by striking ‘‘; and’’.
provisions of the Small Business Act (15 U.S.C. 638) should be adjusted and, if so, take appropriate action to direct that such adjustments be made under the policy directives issued under this subsection to—

(1) Eliminate the annual adjustments for inflation of the dollar value of awards described in paragraph (2)(D); and

(2) Clarify that Congress intends to revalue the dollar value of awards every 3 fiscal years.

(c) Clarification of Sequential Phase II Awards.—Section 9(f) of the Small Business Act (15 U.S.C. 638(f)) is amended by adding at the end the following:

"(3) Clarification of Sequential Phase II Awards.—The head of a Federal agency shall ensure that any sequential Phase II award is made in accordance with the limitations on award sizes under subsection (a).

(4) Cross-Agency Sequential Phase II Awards.—A small business concern that receives a sequential Phase II SBIR or Phase II STTR award for a project from a Federal agency is eligible to receive an additional sequential Phase II award that continues work on that project from another Federal agency."

TITLE LXIII—COMMERCIALIZATION IMPROVEMENTS

SEC. 6301. PERMANENCY OF THE COMMERCIALIZATION PILOT PROGRAM FOR CIVILIAN AGENCIES.

Section 9(gg) of the Small Business Act (15 U.S.C. 638(gg)) is amended—

(1) in the subsection heading, by striking "Pilot Program" and inserting "Commercialization Pilot Program for Civilian Agencies."

SEC. 6301. PERMANENCY OF SBIR AND STTR REAUTHORIZATION AND IMPROVEMENTS

SEC. 6001. SHORT TITLE.

This division may be cited as the "SBIR and STTR Reauthorization and Improvement Act of 2016".

TITLE LXI—REAUTHORIZATION OF PROGRAMS

SEC. 6101. PERMANENCY OF SBIR PROGRAM AND STTR PROGRAM.

(a) SBIR.—Section 9(m) of the Small Business Act (15 U.S.C. 638(m)) is amended—

(1) in the subsection heading, by striking "termination" and inserting "SBIR Program Authorization"; and

(2) by striking "terminate on September 30, 2017" and inserting "be in effect for each fiscal year".

(b) STTR.—Section 9(n)(1)(A) of the Small Business Act (15 U.S.C. 638(n)(1)(A)) is amended by striking "through fiscal year 2017".

TITLE LXII—ENHANCED SMALL BUSINESS ACCESS TO FEDERAL INNOVATION INVESTMENTS

SEC. 6201. ALLOCATION INCREASES AND TRANSPARENT BASE CALCULATION.

(a) SBIR.—Section 9(f) of the Small Business Act (15 U.S.C. 638(f)) is amended—

(1) in paragraph (1), by deleting a semicolon at the end of (A), by striking "and" and inserting "or">

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compartimentalized information, if the Senate employee meets the criteria for such clearances; and

(b) If the Director of Senate Security, in coordination with the Director of National Intelligence and the Chairperson of the Suitability and Security Clearance Performance Accountability Council established under Executive Order 13467 (73 Fed. Reg. 38103), determines that the procedures described in subparagraph (A) are inadequate, issue guidelines on the establishment and implementation of such procedures.

(2) REPORT.—Not later than 90 days after the date of enactment of this Act, the Director of Senate Security shall submit to each covered committee of the Senate a report regarding the review conducted under paragraph (1)(A) and guidance, if any, issued under paragraph (1)(B).

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to alter—

(1) the rule of the Information Security Oversight Office implementing Standard Form 312, which Members of Congress sign in order to be permitted to access classified information;

(2) the requirement that Members of the Senate Security Committee be "need-to-know" to have access to classified information;

(3) the scope of the jurisdiction of any committee or subcommittee of the Senate; or

(4) the authority of the executive branch of the Government, the Office of Senate Security, any Committee of the Senate, or the Department of Defense to determine recipients of all classified information.

SA 4253. Mrs. SHAHEEN (for herself and Mr. VITTER) submitted an amendment to S. 2943, ordering the bill to be read a third time, and instructing the Clerk to strike out the end and insert the following:

"SEC. 6101. SHORT TITLE.

This division may be cited as the "SBIR and STTR Reauthorization and Improvement Act of 2016".

TITLE LXI—REAUTHORIZATION OF PROGRAMS

SEC. 6101. PERMANENCY OF SBIR PROGRAM AND STTR PROGRAM.

(a) SBIR.—Section 9(m) of the Small Business Act (15 U.S.C. 638(m)) is amended—

(1) in the subsection heading, by striking "termination" and inserting "SBIR Program Authorization"; and

(2) by striking "terminate on September 30, 2017" and inserting "be in effect for each fiscal year".

(b) STTR.—Section 9(n)(1)(A) of the Small Business Act (15 U.S.C. 638(n)(1)(A)) is amended by striking "through fiscal year 2017".

TITLE LXII—ENHANCED SMALL BUSINESS ACCESS TO FEDERAL INNOVATION INVESTMENTS

SEC. 6201. ALLOCATION INCREASES AND TRANSPARENT BASE CALCULATION.

(a) SBIR.—Section 9(f) of the Small Business Act (15 U.S.C. 638(f)) is amended—

(1) in paragraph (1), by deleting a semicolon at the end of (A), by striking "and" and inserting "or";
SEC. 6302. ENFORCEMENT OF NATIONAL SMALL BUSINESS DISCLOSURE POLICY TO FEDERAL RESEARCH AND DEVELOPMENT.

Section 9(n) of the Small Business Act (15 U.S.C. 638(n)) is amended—

(1) by striking paragraph (F), by striking “and” and inserting “or” at the end; and

(2) in subparagraph (G), by adding “or” and inserting “or” after “year”.

SEC. 6303. TRACKING RAPID INNOVATION FUND AWARDS IN ANNUAL CONGRESSIONAL REPORT.

Section 9(b) of the Small Business Act (15 U.S.C. 638(b)(7)) is amended—

(1) by inserting “(F) the number and dollar amount of awards made under the Rapid Innovation Program to business concerns receiving an award under the SBIR program or the STTR program;” after “(E) the number and dollar amount of awards made under the SBIR program or the STTR program;”;

(2) in subparagraph (B), by inserting “or” and “under the SBIR program or the STTR program;” before “the SBIR or STTR program of a Federal agency;”;

(3) by inserting “the proportion of awards under the Rapid Innovation Program made to business concerns receiving an award under the SBIR or STTR program of a Federal agency;” after “the proportion of awards under the SBIR or STTR program of a Federal agency;”.

SEC. 6304. INTELLECTUAL PROPERTY PROTECTION FOR TECHNOLOGY DEVELOPMENT.

Section 9 of the Small Business Act (15 U.S.C. 638) is amended by adding at the end the following:

“(t) INTELLECTUAL PROPERTY PROTECTIONS.—

“(1) IN GENERAL.—Subject to subparagraph (2), each Federal agency shall provide protection for intellectual property, including a trademark, copy right, or patent, that was created or developed through collaboration with a small business concern, in accordance with this section.

“(2) IN GENERAL.—Subject to subparagraph (3), each Federal agency shall provide protection for intellectual property, including a trademark, copyright, or patent, that was created through collaboration with a small business concern, in accordance with this section.

“(3) IN GENERAL.—Subject to subparagraph (4), each Federal agency shall provide protection for intellectual property, including a trademark, copyright, or patent, that was created through collaboration with a small business concern, in accordance with this section.

“(4) IN GENERAL.—Subject to subparagraph (5), each Federal agency shall provide protection for intellectual property, including a trademark, copyright, or patent, that was created through collaboration with a small business concern, in accordance with this section.

“(u) INTELLECTUAL PROPERTY PROTECTIONS.—

“(1) IN GENERAL.—Subject to subparagraph (2), each Federal agency shall provide protection for intellectual property, including a trademark, copyright, or patent, that was created through collaboration with a small business concern, in accordance with this section.

“(2) IN GENERAL.—Subject to subparagraph (3), each Federal agency shall provide protection for intellectual property, including a trademark, copyright, or patent, that was created through collaboration with a small business concern, in accordance with this section.

“(3) IN GENERAL.—Subject to subparagraph (4), each Federal agency shall provide protection for intellectual property, including a trademark, copyright, or patent, that was created through collaboration with a small business concern, in accordance with this section.

“(4) IN GENERAL.—Subject to subparagraph (5), each Federal agency shall provide protection for intellectual property, including a trademark, copyright, or patent, that was created through collaboration with a small business concern, in accordance with this section.

“(v) INTELLECTUAL PROPERTY PROTECTIONS.—

“(1) IN GENERAL.—Subject to subparagraph (2), each Federal agency shall provide protection for intellectual property, including a trademark, copyright, or patent, that was created through collaboration with a small business concern, in accordance with this section.

“(2) IN GENERAL.—Subject to subparagraph (3), each Federal agency shall provide protection for intellectual property, including a trademark, copyright, or patent, that was created through collaboration with a small business concern, in accordance with this section.

“(3) IN GENERAL.—Subject to subparagraph (4), each Federal agency shall provide protection for intellectual property, including a trademark, copyright, or patent, that was created through collaboration with a small business concern, in accordance with this section.

“(4) IN GENERAL.—Subject to subparagraph (5), each Federal agency shall provide protection for intellectual property, including a trademark, copyright, or patent, that was created through collaboration with a small business concern, in accordance with this section.

“(w) INTELLECTUAL PROPERTY PROTECTIONS.—

“(1) IN GENERAL.—Subject to subparagraph (2), each Federal agency shall provide protection for intellectual property, including a trademark, copyright, or patent, that was created through collaboration with a small business concern, in accordance with this section.

“(2) IN GENERAL.—Subject to subparagraph (3), each Federal agency shall provide protection for intellectual property, including a trademark, copyright, or patent, that was created through collaboration with a small business concern, in accordance with this section.

“(3) IN GENERAL.—Subject to subparagraph (4), each Federal agency shall provide protection for intellectual property, including a trademark, copyright, or patent, that was created through collaboration with a small business concern, in accordance with this section.

“(4) IN GENERAL.—Subject to subparagraph (5), each Federal agency shall provide protection for intellectual property, including a trademark, copyright, or patent, that was created through collaboration with a small business concern, in accordance with this section.

“(x) INTELLECTUAL PROPERTY PROTECTIONS.—

“(1) IN GENERAL.—Subject to subparagraph (2), each Federal agency shall provide protection for intellectual property, including a trademark, copyright, or patent, that was created through collaboration with a small business concern, in accordance with this section.

“(2) IN GENERAL.—Subject to subparagraph (3), each Federal agency shall provide protection for intellectual property, including a trademark, copyright, or patent, that was created through collaboration with a small business concern, in accordance with this section.

“(3) IN GENERAL.—Subject to subparagraph (4), each Federal agency shall provide protection for intellectual property, including a trademark, copyright, or patent, that was created through collaboration with a small business concern, in accordance with this section.

“(4) IN GENERAL.—Subject to subparagraph (5), each Federal agency shall provide protection for intellectual property, including a trademark, copyright, or patent, that was created through collaboration with a small business concern, in accordance with this section.

“(y) INTELLECTUAL PROPERTY PROTECTIONS.—

“(1) IN GENERAL.—Subject to subparagraph (2), each Federal agency shall provide protection for intellectual property, including a trademark, copyright, or patent, that was created through collaboration with a small business concern, in accordance with this section.

“(2) IN GENERAL.—Subject to subparagraph (3), each Federal agency shall provide protection for intellectual property, including a trademark, copyright, or patent, that was created through collaboration with a small business concern, in accordance with this section.

“(3) IN GENERAL.—Subject to subparagraph (4), each Federal agency shall provide protection for intellectual property, including a trademark, copyright, or patent, that was created through collaboration with a small business concern, in accordance with this section.

“(4) IN GENERAL.—Subject to subparagraph (5), each Federal agency shall provide protection for intellectual property, including a trademark, copyright, or patent, that was created through collaboration with a small business concern, in accordance with this section.

“(z) INTELLECTUAL PROPERTY PROTECTIONS.—

“(1) IN GENERAL.—Subject to subparagraph (2), each Federal agency shall provide protection for intellectual property, including a trademark, copyright, or patent, that was created through collaboration with a small business concern, in accordance with this section.

“(2) IN GENERAL.—Subject to subparagraph (3), each Federal agency shall provide protection for intellectual property, including a trademark, copyright, or patent, that was created through collaboration with a small business concern, in accordance with this section.

“(3) IN GENERAL.—Subject to subparagraph (4), each Federal agency shall provide protection for intellectual property, including a trademark, copyright, or patent, that was created through collaboration with a small business concern, in accordance with this section.

“(4) IN GENERAL.—Subject to subparagraph (5), each Federal agency shall provide protection for intellectual property, including a trademark, copyright, or patent, that was created through collaboration with a small business concern, in accordance with this section.

“(aa) INTELLECTUAL PROPERTY PROTECTIONS.—

“(1) IN GENERAL.—Subject to subparagraph (2), each Federal agency shall provide protection for intellectual property, including a trademark, copyright, or patent, that was created through collaboration with a small business concern, in accordance with this section.

“(2) IN GENERAL.—Subject to subparagraph (3), each Federal agency shall provide protection for intellectual property, including a trademark, copyright, or patent, that was created through collaboration with a small business concern, in accordance with this section.

“(3) IN GENERAL.—Subject to subparagraph (4), each Federal agency shall provide protection for intellectual property, including a trademark, copyright, or patent, that was created through collaboration with a small business concern, in accordance with this section.

“(4) IN GENERAL.—Subject to subparagraph (5), each Federal agency shall provide protection for intellectual property, including a trademark, copyright, or patent, that was created through collaboration with a small business concern, in accordance with this section.
(iii) by adding at the end the following: ‘‘Business-related services aimed at improving the commercialization success of a small business concern may be obtained from an entity, such as a public or private organization or an agency of or other entity established or funded by a State that facilitates or accelerates the commercialization of technologies developed in the creation and growth of private enterprises that are commercializing technology;’’; (E) in subparagraph (D) - (i) by striking ‘‘or business’’ after ‘‘technical’’ each place it appears; and (ii) in clause (i) - (I) by striking ‘‘the vendor’’ and inserting ‘‘1 or more vendors’’; (II) by striking ‘‘provides’’ and inserting ‘‘provide’’; and (F) by adding at the end the following: ‘‘(E) multiple award recipients.—The Administrator shall establish a limit on the amount of technical and business assistance services that may be received or purchased under subparagraph (B) by small business concerns with respect to multiple Phase II SBIR or STTR awards for a fiscal year.’’.

TITLE LIV—PROGRAM DIVERSIFICATION INITIATIVES

SEC. 6401. REGIONAL SBIR STATE COLLABORATIVE INITIATIVE PILOT PROGRAM.

Section 9 of the Small Business Act (15 U.S.C. 638) is amended—(1) in subsection (mm)—(i) in the matter preceding subparagraph (A) - (I) by striking ‘‘2017’’ and inserting ‘‘2021’’; (ii) in subparagraph (B), by striking ‘‘and’’ at the end; (iii) in subparagraph (J), by striking the period and inserting ‘‘; and’’; and (iv) by adding at the end the following: ‘‘(K) funding for improvements that increase commonality across data systems, reduce redundancy, and improve data oversight and accuracy.’’; and (B) by adding at the end the following: ‘‘(7) SBIR and STTR programs; past fiscal years.—(A) definition.—In this paragraph, the term ‘covered Federal agency’ means a Federal agency that—(i) in paragraph (1)—(I) is required to conduct an SBIR program; and (ii) elects to use the funds allocated to the SBIR program by the Federal agency for the purposes described in paragraph (1). (B) requirement.—Each covered Federal agency shall transfer an amount equal to 15 percent of the funds that are used for the purposes described in paragraph (1) to the Administration—(i) for the Regional SBIR State Collaborative Initiative Pilot Program established under subsection (uu); and (ii) for the Federal and State Technology Partnership Program established under section 34; (C) establishing.—The Administrator shall establish a pilot program, to be known as the Regional SBIR State Collaborative Initiative Pilot Program established under paragraph (6), to leverage funds for improvements that increase commonality across data systems, reduce redundancy, and improve data oversight and accuracy; and (D) goals.—The goals of the pilot program are—(i) to create regional collaboratives that allow eligible entities to work cooperatively to leverage Federal awards to address the needs of small business concerns; (ii) to grow SBIR program and STTR program cooperative research and development activities, and compete for increased awards under those programs; (iii) to increase the participation of States that have historically received a lower level of awards under the SBIR program and the STTR program; (iv) to utilize the strengths and advantages of regional collaboratives to better leverage best practices, and economies of scale in a region for the purpose of increasing awards and increasing the commercialization of the SBIR program and STTR program; and (v) to increase the competitiveness of the SBIR program and the STTR program; (E) to identify sources of outside funding for applicants for an award under the SBIR program or the STTR program, including venture capitalists, angel investor groups, university-industry, crowd funding, and special loan programs; and (F) to offer increased one-on-one engagements with companies and entrepreneurs for the SBIR program and STTR program education, assistance, and successful outcomes.

(4) application.—(A) in general.—A regional collaborative that desires to participate in the pilot program shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require.

(5) inclusion of lead eligible entities and coordinator.—(A) a regional collaborative shall include in an application submitted under subparagraph (A)—(i) the name of each lead eligible entity from each eligible State in the regional collaborative, as designated under paragraph (5)(A); and (ii) the name of the coordinator for the regional collaborative, as designated under paragraph (6).

(6) avoidance of duplication.—A regional collaborative shall include in an application submitted under subparagraph (A) an explanation as to how the goals of the regional collaborative under the pilot program would differ from other State and Federal outreach activities in each eligible State in the region of the collaborative.

(7) lead eligible entity.—(A) in general.—Each eligible State in a regional collaborative shall designate 1 eligible entity located in the eligible State to serve as the lead eligible entity for the eligible State.

(8) authorization by governor.—Each lead eligible entity designated under subparagraph (A) shall be authorized to act as the lead eligible entity by the Governor of the applicable eligible State.

(9) responsibilities.—Each eligible lead eligible entity designated under subparagraph (A) shall be responsible for administering the activities and program initiatives described in paragraph (7) in the applicable eligible State.

(10) regional collaborative coordinator.—Each regional collaborative shall designate a coordinator from among the eligible entities located in the eligible States in the regional collaborative, who shall serve as the lead eligible entity for the regional collaborative and the Administrator with respect to measuring cross-State collaboration and program effectiveness and documenting best practices.

(11) use of funds.—Each regional collaborative that is provided an award under the pilot program may, in each eligible State in which an eligible entity of the regional collaborative is located—(A) establish an initiative under which first-time applicants for an award under the program or those that have reviewed by experienced, national experts in the United States, as determined by the lead eligible entity designated under paragraph (5)(A); (B) engage national mentors on a frequent basis to work directly with applicants for an award under the SBIR program or the STTR program, particularly during Phase II, to assist with the process of preparing and submitting a proposal; (C) create and make available an online mechanism to serve as a resource for applicants for an award under the SBIR program or the STTR program to identify and connect with Federal labs, prime government contractors, university-industry partners, and regional industry cluster organizations;
“(D) conduct focused and concentrated outreach efforts to increase participation in the SBIR program and the STTR program by small business concerns owned and controlled by veterans, small business concerns owned and controlled by socially and economically disadvantaged individuals in section 8(d)(3)(C), and historically black colleges and universities;

“(E) administer a structured program of training and education for small business concerns owned and controlled by veterans, small business concerns owned and controlled by socially and economically disadvantaged individuals in section 8(d)(3)(C), and historically black colleges and universities;

“(i) to prepare applicants for an award under the SBIR program or the STTR program;

“(ii) to develop and implement a successful commercialization plan;

“(iii) to assist eligible States focusing on transition and commercialization to win Phase III awards from public and private partners;

“(IV) to create more competitive proposals to increase awards from all Federal sources, with a focus on awards under the SBIR program and the STTR program; and

“(V) to assist first-time applicants by providing small grants for proof of concept research; and

“(VI) assist applicants for an award under the SBIR program or the STTR program to identify sources of outside funding, including venture capitalists, angel investor groups, private industry, crowd funding, and special loan programs.

“(8) AWARD AMOUNT.—

“(A) IN GENERAL.—The Administrator shall provide an award to each eligible State in which an eligible entity of a regional collaborative is located in an amount that is not more than $300,000 to carry out the activities described in paragraph (7).

“(B) LIMITATION.—

“(i) IN GENERAL.—An eligible State may not receive an award under both the FAST program and the pilot program for the same year.

“(ii) RULE OF CONSTRUCTION.—Nothing in clause (i) shall be construed to prevent an eligible State from applying for an award under the FAST program and the pilot program for the same year.

“(9) DURATION OF AWARD.—An award provided under the pilot program shall be for a period not more than 3 years, and may be renewed by the Administrator for 1 additional year.

“(10) TERMINATION.—The pilot program shall terminate on September 30, 2021.

“(11) REPORT.—Not later than February 1, 2021, the Administrator shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report on the pilot program, which shall include—

“(A) a description of the pilot program and the effectiveness of the pilot program in meeting the goals described in paragraph (3);

“(B) an assessment of the best practices, including an analysis of how the pilot program is demonstrating that the Federal agency has implemented and is in compliance with each provision of law described in clause (ii); and

“(C) recommendations as to whether any aspect of the pilot program should be extended or made permanent.

SEC. 4602. FEDERAL AND STATE TECHNOLOGY PARTNERSHIP PROGRAM.

Section 34 of the Small Business Act (15 U.S.C. 657d) is amended—

“(1) in subsection (b)—

“(A) in paragraph (1), by striking “2001 through 2005” and inserting “2017 through 2021”; and

“(B) in paragraph (2), by striking “fiscal years 2001 through 2005” and inserting “each of fiscal years 2017 through 2021”; and

“(2) in subsection (i), by striking “September 30, 2005” and inserting “September 30, 2021”.

TITLE LXV—OBSERVATION AND SIMPLIFICATION INITIATIVES

SEC. 6501. DATA MODERNIZATION SUMMIT.

(a) DEFINITIONS.—In this section—

“(1) in subsection (h)—

“(I) the term “SBIR and STTR Interagency Policy Committee” means the committee established under section (b);

“(II) the term “Federal agency” means a Federal agency with an SBIR program or an STTR program; and

“(III) the term “Phase” means Phase I, Phase II, or Phase III, as those terms are defined under section 9(e) of the Small Business Act (15 U.S.C. 638(e));

“(2) the term “not less than” means not less than 90 days after the date that would otherwise be applicable to the Federal agency;

“(3) the term “year” means any 12-month period.

(b) DUTIES.—The Committee shall review—

“(1) the information technology systems of the Federal agency; and

“(2) the information technology systems of the Congress by the Office of Science and Technology Policy, and the recommendations made in the report to the Congress on the solutions identified by the Committee under subsection (d) and resources needed to execute the solutions.
“(B) make a final decision on each proposal submitted under the SBIR program— 
“(1) for the Department of Health and Human Services, not later than 1 year after the date on which the applicable solicitation closes, with a goal to reduce the review and decision time to less than 10 months by September 30, 2018; 
“(2) for the Department of Agriculture and the National Science Foundation, not later than 6 months after the date on which the applicable solicitation closes; or 
“(3) for other Federal agencies— 
“(I) not later than 90 days after the date on which the applicable solicitation closes; or 
“(II) if the Administrator authorizes an extension, not later than 90 days after the date that would otherwise be applicable to the Federal agency under subclause (I);”.

SEC. 6504. CONTINUED GAP OVERSIGHT OF ALLOCATION COMPLIANCE AND ACCURACY IN FUNDING BASE CALCULATIONS. 

Section 5136(a) of the National Defense Authorization Act for Fiscal Year 2012 (15 U.S.C. 636 note) is amended—

(1) in the matter preceding paragraph (1), by striking “until the date that is 5 years after the date of enactment of this Act” and inserting “until the date on which the Comptroller General of the United States submits the report relating to fiscal year 2019”;

(2) in paragraph (1), by striking subparagraph (C) and inserting the following:

“(C) by adding at the end the following:

“(2) in paragraph (9), by striking the period at the end and inserting ‘‘; and’’; and

(3) in paragraph (2) by striking “subparagraph (B)” and inserting “subparagraphs (B) and (C)’’;

TITLE LXV—PARTICIPATION BY WOMEN AND MINORITY-OWNED BUSINESSES

SEC. 6601. SBA COORDINATION ON INCREASING OUTREACH FOR WOMEN AND MINORITY-OWNED BUSINESSES. 

Section 9 of the Small Business Act (15 U.S.C. 638(b)) is amended—

(1) in subsection (a), by striking “and” at the end;

(2) in paragraph (9), by striking the period at the end and inserting ‘‘; and’’; and

(3) by adding at the end the following:

“(10) to coordinate with participating agencies on efforts to increase outreach and awards under each of the SBIR and STTR programs to small business concerns owned and controlled by women and socially and economically disadvantaged small business concerns, as defined in section 8(a)(4);”.

SEC. 6602. FEDERAL AGENCY OUTREACH REQUIREMENTS FOR WOMEN AND MINORITY-OWNED BUSINESSES. 

Section 9 of the Small Business Act (15 U.S.C. 638) is amended—

(1) in subsection (g)—

“(A) in paragraph (11), by striking “and” at the end;

(B) in paragraph (12), by striking the period at the end and inserting ‘‘; and’’; and

(C) by adding at the end the following:

“(13) implement an outreach program to small business concerns for the purpose of enhancing its SBIR program, under which the Federal agency— 

“(A) provide outreach to small business concerns owned and controlled by women and socially and economically disadvantaged small business concerns, as defined in section 8(a)(4); and 

“(B) establish goals for outreach by the Federal agency to small business concerns described in subparagraph (A).’’; and 

(2) in subsection (o)(14), by striking ‘‘SBIR program’’ and inserting ‘‘SBIR program, under which the Federal agency shall— 

“(A) provide outreach to small business concerns owned and controlled by women and socially and economically disadvantaged small business concerns, as defined in section 8(a)(4); and 

“(B) establish goals for outreach by the Federal agency to small business concerns described in subparagraph (A).’’.

SEC. 6603. STTR POLICY DIRECTIVE MODIFICATION. 

Section 9(p) of the Small Business Act (15 U.S.C. 638(p)) is amended by adding at the end the following:

“(4) ADDITIONAL MODIFICATIONS.—Not later than 120 days after the date of enactment of this paragraph, the Administrator shall modify the policy directive issued pursuant to this subsection to provide for enhanced outreach efforts to increase the participation of women and socially and economically disadvantaged small business concerns, as defined in section 8(a)(4), in technological innovation and commercialization efforts.

SEC. 6604. INTERAGENCY SBIR/STTR POLICY COMMITTEE. 

Section 5124(b) of the Small Business Act of 2011 (Pub. L. 112–111; 125 Stat. 1837) is amended—

(1) by redesignating subsection (a) as subsection (a); and 

(2) by inserting after subsection (a)(1) the following:

“(c) MEETINGS.—

“(1) IN GENERAL.—The Interagency SBIR/STTR Policy Committee shall meet not less than twice per year to carry out the duties under subsection (b).

“(2) OUTREACH AND TECHNICAL ASSISTANCE ACTIVITIES.—If the Interagency SBIR/STTR Policy Committee meets to discuss outreach and technical assistance activities to increase the participation of small business concerns that are underrepresented in the SBIR and STTR programs, the Committee shall invite to the meeting—

“(A) a representative of the Minority Business Development Agency; and 

“(B) relevant stakeholders that work to advance the interests of— 

“(i) small business concerns owned and controlled by women and socially and economically disadvantaged small business concerns, as defined in section 8(a)(4); and 

“(ii) socially and economically disadvantaged small business concerns, as defined in section 8(a)(4) of the Small Business Act (15 U.S.C. 637(a)(4)).”.

SEC. 6605. DIVERSITY AND STEM WORKFORCE DEVELOPMENT PILOT PROGRAM. 

(a) DEFINITIONS.—In this section— 

“(1) the term ‘Administrator’ means the Administrator of the Small Business Administration; 

“(2) the term ‘covered STEM intern’ means a student at, or recent graduate from, an institution of higher education serving as an intern—

“(A) whose course of study studied is focused on the STEM fields; and 

“(B) who is a woman or a person from an underrepresented population in the STEM fields; 

“(3) the term ‘eligible entity’ means a small business concern that— 

“(A) is receiving amounts under an award under this program or the STTR program of a Federal agency on the date on which the Federal agency awards a grant to the small business concern under subsection (b); and 

“(B) provides internships for covered STEM interns; 

(c) AUTHORIZATION OF APPROPRIATIONS.— 

The amounts authorized to be appropriated under subparagraphs (A) and (B) of the term ‘federal agency’, ‘SBIR’, and ‘STTR’ have the meanings given those terms under section 9(e) of the Small Business Act (15 U.S.C. 638(e)); 

(e) the term ‘Institution of higher education’ has the meaning given the term under section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)); 

(b) PILOT PROGRAM FOR INTERNSHIPS FOR WOMEN AND PEOPLE FROM UNDERREPRESENTED POPULATIONS.—The Administrator shall establish a Diversity and STEM Workforce Development Pilot Program to encourage the business community to provide workforce development opportunities for covered STEM interns, under which a Federal agency participating in the SBIR program or STTR program may make a grant to 1 or more eligible entities for the costs of internships for covered STEM interns.

(c) AMOUNT AND USE OF GRANTS.—

(1) AMOUNT.—A grant under subsection (b) shall—

(A) may not be in an amount of more than $15,000 per fiscal year; and 

(B) may be in addition to the amount of the award to the recipient under the SBIR program or the STTR program.

(2) USE.—Not later than 90 percent of the amount of a grant under this subsection shall be used by the eligible entity to provide stipends or other similar payments to interns.

(d) EVALUATION.—Not later than January 31 of the first calendar year after the third fiscal year during which the Administrator carries out the pilot program, the Administrator shall submit to Congress—

(1) data on the results of the pilot program, such as the number and demographics of the covered STEM interns and the amount spent on such internships; and 

(2) an assessment of whether the pilot program helped the SBIR program and STTR program achieve the congressional objective of fostering and encouraging the participation of women and persons from underrepresented populations in the STEM fields.

(e) TERMINATION.—The pilot program shall terminate after the end of the fourth fiscal year during which the Administrator carries out the pilot program.

(f) AUTHORIZATION OF APPROPRIATIONS.— 

There are authorized to be appropriated such sums as may be necessary to carry out the pilot program.
SA 4254. Mr. WYDEN (for himself, Mr. PAUL, and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 1097. EXCLUSION OF INDUSTRIAL HEMP FROM DEFINITION OF MARHUANA.
(a) In General.—Section 102 of the Controlled Substances Act (21 U.S.C. 802) is amended—
(1) in paragraph (16)—
(A) by striking ‘‘(16) The’’ and inserting ‘‘(16)(A) The’’; and
(B) by adding at the end the following:—
‘‘(B) The term ‘marujuana’ does not include industrial hemp.’’; and
(2) by adding at the end the following:—
‘‘(57) ‘Industrial hemp’ means the plant Cannabis sativa L. and any part of such plant, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than 0.3 percent on a dry weight basis.’’.
(b) Industrial Hemp Determination by States.—Section 201 of the Controlled Substances Act (21 U.S.C. 811) is amended by adding at the end the following:—
‘‘(k) Industrial Hemp Determination.—If a person grows or processes Cannabis sativa L. for production of any industrial hemp in accordance with State law, the Cannabis sativa L. shall be deemed to meet the concentration limitation under section 102(57), unless the General determines that the State law is not reasonably calculated to comply with section 102(57).’’.
SA 4255. Mr. REID (for Mr. BLUMENTHAL (for himself, Mrs. MURRAY, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. BROWN, Mr. SANDERS, Mr. LEAHY, Ms. BALDWIN, Mr. MERKLEY, Mr. REED, and Mrs. BOXER)) submitted an amendment intended to be proposed by Mr. REID to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SA 4256. Mr. REID (for Mr. BLUMENTHAL) submitted an amendment intended to be proposed by Mr. REID to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 1097. PARTICIPATION OF VETERANS IN TRANSITION ASSISTANCE PROGRAM OF DEPARTMENT OF DEFENSE.
(a) In General.—The Secretary of Veterans Affairs and the Secretary of Defense shall enter into a memorandum of understanding under which—
(1) veterans may receive transition assistance counseling under the program at any military installation at which any transition assistance counseling is being provided to members of the Armed Forces under the program; and
(2) veterans defined.—In this section, the term ‘‘veteran’’ has the meaning given that term in section 101 of title 38, United States Code.

SEC. 4257. Mr. HELLER (for himself and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 740. IMPLEMENTATION OF RECOMMENDATIONS REGARDING INTEROPERABLE ELECTRONIC HEALTH RECORD BETWEEN THE DEPARTMENT OF DEFENSE AND THE DEPARTMENT OF VETERANS AFFAIRS.
(a) In General.—Not later than September 30, 2017, the Secretary of Defense and the Secretary of Veterans Affairs shall implement all recommendations set forth by the Comptroller General of the United States before the date of the enactment of this Act regarding the achievement of an interoperable electronic health record between the Department of Defense and the Department of Veterans Affairs.
(b) Report.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of Veterans Affairs shall jointly submit to Congress a report on the progress of the Secretary of Defense and the Secretary of Veterans Affairs in completing each action required by this section regarding the achievement of an interoperable electronic health record between the Department of Defense and the Department of Veterans Affairs that the Comptroller General determines has not been addressed.
may be possible through the use of strategic sourcing, which is a process that moves an organization away from numerous individual procurements toward a broader, more aggregate approach.

(C) At the same time, Congress is concerned that strategic sourcing could have a negative impact on some small business concerns.

(D) The Department has taken steps to consider this potential impact, but the Government Accountability Office has found that the potential benefits derived through strategic sourcing initiatives established by the Department are intended to maximize the benefits derived through strategic sourcing initiatives, including efforts being conducted through the Federal Strategic Sourcing Initiative and the Category Management Initiative.

(2) Purpose.—The purpose of this section is to require the Department to implement strategic sourcing in a manner consistent with the recommendations of the Government Accountability Office, which are intended to maximize the benefits derived through strategic sourcing while minimizing any undue negative impacts on small business concerns.

(c) Improving the Use of Strategic Sourcing.—Not later than 180 days after the date of enactment of this Act—

(1) the Secretary, acting through the Under Secretary of Defense for Acquisition, Technology, and Logistics, shall establish performance measures for the inclusion of small business concerns in Departmental strategic sourcing initiatives, including efforts being conducted through the Federal Strategic Sourcing Initiative and the Category Management Initiative;

(2) the Secretary shall submit to the Director of the Office of Management and Budget, the Committee on Armed Services of the Senate, and the Committee on Armed Services of the House of Representatives baseline data on, and performance measures for, the participation of small business concerns in strategic sourcing initiatives by the Department, which shall include participation as subcontractors to the extent feasible and that data is available; and

(3) the Administrator for Federal Procurement Policy shall begin monitoring the inclusion of small business concerns in strategic sourcing initiatives by the Department, including evaluating whether the Department is meeting the performance measures described in paragraph (2).

SA 4293. Mr. DAINES (for himself, Mr. MCCAIN, Mr. CARDIN, Mrs. ERNST, Ms. MIKULSKI, Mr. BLUMENTHAL, Mr. GARDNER, Mr. BENTNET, and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VI, the following:

SEC. 9314a. United States Air Force Institute of Technology: admission of defense industry civilians.

(a) ENROLLMENT AUTHORIZED.—Section 9314a of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by inserting “and homeland security industry employees” after “defense industry employees”;

(ii) by inserting “or homeland security industry employees” after “defense industry employees”;

(iii) by inserting “and homeland security industry employees” after “defense industry employees”;

(B) in paragraph (1)—

(i) by inserting “or homeland security industry employees” after “defense industry employees”;

(ii) by inserting “or homeland security industry employees” after “defense industry employees”;

(C) in paragraph (3), by inserting “or homeland security industry employees” after “defense industry employees” each place it appears;

(D) in paragraph (4), by inserting “or the Department of Homeland Security, as applicable” after “the Department of Defense”; and

(2) in subsection (b), by inserting “and homeland security industry employees” after “defense industry employees”.

(b) HOMELAND SECURITY INDUSTRY EMPLOYEES.—Subsection (b) of such section is amended—

(1) in subsection (f), by inserting “and homeland security industry employees” after “defense industry employees”;

(2) in subsection (h), by inserting “or homeland security industry employees” after “defense industry employees”;

(B) in paragraph (1)—

(i) by inserting “or homeland security industry employees” after “defense industry employees”;

(ii) by inserting “or homeland security industry employees” after “defense industry employees”;

(c) CONFORMING AMENDMENTS.—

(1) SECTION HEADING.—The heading of such section is amended to read as follows:

“§ 9314a. United States Air Force Institute of Technology: admission of defense industry civilians; admission of homeland security industry civilians.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 90 of title 10, United States Code, is amended by striking the item relating to section 9314a and inserting the following new item:

“9314a. United States Air Force Institute of Technology: admission of defense industry civilians; admission of homeland security industry civilians.”.

SA 4262. Mr. KIRK submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title V, the following:

SEC. 538. QUALIFICATIONS FOR ENLISTMENT IN THE ARMED FORCES.

(a) ADDITIONAL QUALIFIED PERSONS.—Paragraph (1) of subsection (b) of section 504 of title 10, United States Code, is amended—

(1) by redesignating subparagraph (C) as subparagraph (E); and

(2) by inserting after subparagraph (B) the following new subparagraphs:

“(C) A person who, at the time of enlistment, is a citizen of the United States, except that the alien may not continuously be a lawful status in the United States for at least two years.

(D) A person who, at the time of enlistment, is an alien and armed for service in the armed forces under other than honorable conditions for a period of one or more years shall be adjusted to the status of an alien lawful admitted for permanent residence under the provisions of section 245 of the Immigration and Nationality Act (8 U.S.C. 1255), and shall be eligible for naturalization under section 328 of the Immigration and Nationality Act (8 U.S.C. 1432).

(b) ADMISSION TO PERMANENT RESIDENCE OF CERTAIN ENLISTEES.—Such section is further amended by adding at the end the following new subsection:

“(c) ADMISSION TO PERMANENT RESIDENCE OF CERTAIN ENLISTEES.—(1) A person described in this subsection who is entitled ‘Deferred Action for Childhood Arrivals’ (DACA).

“(A) establish that he or she entered the United States prior to January 1, 1972; and

“(B) comply with the requirements of section 212(e) of the Immigration and Nationality Act (8 U.S.C. 1182(e)).

“(2) The Secretary of Homeland Security shall rescind the lawful permanent resident status of a person whose status was adjusted under paragraph (1) if the person is separated from the armed forces under other than honorable conditions before the person served for a period or periods aggregating five years. Such grounds for rescission are in addition to any other provided by law. The fact that the person was separated from the armed forces under other than honorable conditions shall be proved by a duly authenticated certification from the armed force in which the person last served. The service of the person in the armed forces shall be proved by duly authenticated copies of the service records of the person.

“(3) Nothing in this subsection shall be construed to alter the process prescribed by sections 328, 329, and 329A of the Immigration and Nationality Act (8 U.S.C. 1438, 1440, 1440a), by which a person may naturalize through service in the armed forces.”.

(c) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of such section is amended to read as follows:

“§ 504. Persons not qualified; citizenship or residency requirements; exceptions.”.

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 31 of such
title is amended by striking the item relating to section 504 and inserting the following new item:

“504. Persons not qualified; citizenship or residency requirements; exceptions.”

SEC. 329. TREATMENT OF CERTAIN PERSONS AS HAVING SATISFIED ENGLISH AND CIVICS, GOOD MORAL CHARACTER, AND HONORABLE SERVICE AND DISCHARGE REQUIREMENTS FOR NATURALIZATION.

(a) IMMIGRATION AND NATIONALITY ACT.—The Immigration and Nationality Act (8 U.S.C. 1101 et seq.) is amended by inserting after section 329A (8 U.S.C. 1440-1) the following:

“SEC. 329B. PERSONS WHO HAVE RECEIVED AN AWARD FOR ENGAGEMENT IN ACTIVE COMBAT OR ACTIVE PARTICIPATION IN COMBAT.

“(a) IN GENERAL.—

“(1) In general.—For purposes of naturalization and continuing citizenship under the following provisions of law, a person who has received an award described in subsection (b) shall be treated—

“(A) as having satisfied the requirements under sections 312(a) and 316a(x), and subsections (b)(3), (c), and (e) of section 328; and

“(B) except as provided in paragraph (2), as having separated from such service, as having been separated under honorable conditions.

“(2) REVOCATION.—Notwithstanding paragraph (1)(B), any person who separated from the Armed Forces under other than honorable conditions may be subject to revocation of citizenship under section 326(f) or 326(c) if the other requirements under such section are met.

“(b) APPLICATION.—This section shall apply with respect to the following awards from the Armed Forces of the United States:

“(1) The Combat Infantryman Badge from the Army.

“(2) The Combat Medical Badge from the Army.

“(3) The Combat Action Badge from the Army.

“(4) The Combat Action Ribbon from the Navy, the Marine Corps, or the Coast Guard.


“(6) Any other award that the Secretary of Defense determines to be an equivalent award for engagement in active combat or active participation in combat.”.

(b) CLERICAL AMENDMENT.—The table of contents of such Act (8 U.S.C. 1101 et seq.) is amended by inserting after the item relating to section 329A the following:

“Sec. 329B. Persons who have received an award for engagement in active combat or active participation in combat.”.

SA 4263. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XVI, add the following:

SEC. 1667. SENSE OF CONGRESS ON THE BALLISTIC MISSILE THREAT OF NORTH KOREA AND THE DEPLOYMENT OF TERMINAL HIGH ALTITUDE AREA DEFENSE IN SOUTH KOREA.

It is the sense of Congress—

(1) that the short-range, medium-range, and long-range ballistic missile programs of the Democratic People’s Republic of Korea (DPRK) represent an imminent and growing threat to the Republic of Korea (ROK), Japan, and the United States in Homeland;

(2) that, according to open sources, the Democratic People’s Republic of Korea currently fields an estimated 700 short-range ballistic missiles, 200 Nodong medium-range ballistic missiles, and 100 Musudan intermediate-range missiles;

(3) that, in March 2016, the United States and Republic of Korea officially began formal consultations regarding the deployment of the Terminal High Altitude Area Defense (THAAD) missile defense system to the Republic of Korea;

(4) that the Terminal High Altitude Area Defense missile defense system would effectively complement and significantly strengthen the existing missile defense capabilities of the United States on the Korean Peninsula;

(5) that the Terminal High Altitude Area Defense missile defense system is a limited defensive system that does not represent a threat to any of the neighbors of the Republic of Korea;

(6) to welcome deployment consultation talks between United States and the Republic of Korea on the Terminal High Altitude Area Defense missile defense system and to consider the deployment of that system as a sovereign choice of the Republic of Korean Government and a bilateral decision of the alliance between the United States and the Republic of Korea to protect the citizens of the Republic of Korea against the growing ballistic missile threat from the Democratic People’s Republic of Korea and provide further protection to alliance forces serving on the Korean Peninsula; and

(7) to welcome joint missile defenses exercises between the United States, the Republic of Korea, and Japan against the ballistic missile threat from the Democratic People’s Republic of Korea and Japan.

SA 4264. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 46, strike lines 1 through 13 and insert the following:

SEC. 125. BASELINE ESTIMATE FOR THE ADVANCED ARRESTING GEAR PROGRAM.

The Secretary of Defense

SA 4265. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

(THAAD) missile defense system to the Republic of Korea and the United States homeland; as follows:

(a) IN GENERAL.—The Secretary of the Department of Defense, for military construction, and key events that must take place to execute initiatives and achieve savings.

(E) Instances of lower estimates used in contract negotiations.

(F) A description of specific low value-added or unnecessary elements of program cost that have been reduced or eliminated.

(G) Cost savings estimates for current and planned initiatives.

(D) A schedule including a spend plan with phasing of key obligations and outlays, decision points when savings could be realized, and key events that must take place to execute initiatives and achieve savings.

(C) Cost savings estimates for current and planned initiatives.

(B) A description of specific low value-added or unnecessary elements of program cost that have been reduced or eliminated.

(A) A description of progress made toward achieving the procurement end costs specified in subsection (a), including realized cost savings.

(1) In general.—The Secretary of the Navy and the Chief of Naval Operations shall annually submit, with the budget of the President submitted to Congress under section 1105(a) of title 31, United States Code, a progress report describing efforts to attain CVN-79 and CVN-80 procurement end costs specified in subsection (a).

(2) ELEMENTS.—The report under paragraph (1) shall include the following elements:

(1) The description of incentives or rewards provided or planned to be provided for meeting the procurement end costs specified in subsection (a).

(2) A description of risks to achieving the procurement end costs specified in subsection (a).

(3) A description of progress made toward achieving the procurement end costs specified in subsection (a).

(4) A description of specific low value-added or unnecessary elements of program cost that have been reduced or eliminated.

(5) Cost savings estimates for current and planned initiatives.

(6) A schedule including a spend plan with phasing of key obligations and outlays, decision points when savings could be realized, and key events that must take place to execute initiatives and achieve savings.

(7) Instances of lower estimates used in contract negotiations.

(SA 4266. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 127.

SA 4267. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

In section 844, strike subsection (e).

SA 4268. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

In section 844, strike subsection (e).
military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1326.

SA 4269. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1326.

SA 4270. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitile D of title XII, add the following:

SEC. 1227. LIMITATION ON USE OF FUNDS TO PROCURE ANY GOODS OR SERVICES FROM PERSONS THAT PROVIDE MATERIAL SUPPORT TO CERTAIN IRANIAN PERSONS.

(a) Limitation.—No funds authorized to be appropriated for the Department of Defense for fiscal year 2017 may be used to procure, or enter into any contract for the procurement of, any goods or services from persons identified in section 6(a)(10) of any executive order by the President to provide material support to certain Iranian persons.

(b) Certification.—The Federal Acquisition Regulation shall be revised to require a certification from each person that is a provider of material support to certain Iranian persons that such person does not engage in any of the conduct described in subsection (a).

(c) Waiver.—The Secretary of Defense, in consultation with the Secretary of State and the Secretary of the Treasury, may grant a waiver from the case-by-case basis, waive the limitation in subsection (a) with respect to a person if the Secretary of Defense, in consultation with the Secretary of State and the Secretary of the Treasury—

(1) determines that the waiver is important to the national security interest of the United States; and

(2) submits to the appropriate committees of Congress a notification of, and detailed justification for, the waiver not less than 30 days before the date on which the waiver is to take effect.

(d) Definitions.—In this section:

(1) APPLICABLE COMMITTEES OF CONGRESS.—The term "applicable committees of Congress" means—

(A) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

(2) COVERED IRANIAN PERSON.—The term "covered Iranian person" means an Iranian person that—

(A) is included on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury and the targeted funds, funds, and properties in property of or subject to any executive order pursuant to any national security letter, and are blocked pursuant to any national security letter, and are blocked pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) for acting on behalf of or at the direction of, or controlling by, the Government of Iran;

(B) is included on the list of persons identified as blocked solely pursuant to Executive Order 13596; or

(C) in the case of an Iranian person described in paragraph (3)(B)—

(i) is owned, directly or indirectly, by—

(I) the Revolutionary Guard Corps, or any agent or affiliate thereof; or

(II) one or more other Iranian persons that are included on the list of specially designated nationals and blocked persons as described in subparagraph (A) if such Iranian persons collectively own a 25 percent or greater interest in the Iranian person; or

(ii) is controlled, managed, or directed, directly or indirectly, by Iran’s Revolutionary Guard Corps, or any agent or affiliate thereof, or by one or more other Iranian persons described in clause (I).

(3) IRANIAN PERSON.—The term "Iranian person" means—

(A) an individual who is a national of Iran; or

(B) an entity that is organized under the laws of Iran or otherwise subject to the jurisdiction of the Government of Iran.

(4) PERSON.—The term "person" means—

(A) a multiple award contract described in clause (I); or

(B) the term "significant transaction or transactions."—The term "significant transaction or transactions" shall be determined, for purposes of this section, in accordance with section 561.404 of title 31, Code of Federal Regulations, as such section 561.404 was in effect on April 22, 2016.

(5) SIGNIFICANT TRANSACTION OR TRANSACTIONS.—The term "significant transaction or transactions" shall be determined, for purposes of this section, in accordance with section 561.404 of title 31, Code of Federal Regulations, as such section 561.404 was in effect on January 1, 2016.

SA 4272. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 212. ENHANCEMENT AND PERMANENT AUTHORITY FOR DEFENSE RESEARCH AND DEVELOPMENT RAPID INNOVATION PROGRAM.

(a) COORDINATION OF PROGRAM.—Subsection (a) of section 1073 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-383; 124 Stat. 4396; 10 U.S.C. 1259 note) is amended by adding at the end the following: "The program shall be coordinated with the senior acquisition executive of the departments, Agencies, and components of the Department of Defense.",

(b) DEPARTMENT OF DEFENSE EXPENDITURE AUTHORIZATION.—Subsection (d) of such section is amended to read as follows:

"(d) DO NOT EXPENDitures.—(1) For fiscal year 2018 and each fiscal year thereafter, the Department of Defense shall obligate for expenditure for eligible technologies not less than 0.5 percent of the aggregate budget of the Department of Defense for such fiscal year for research, development, test, and evaluation and available for projects and activities at the level of Advanced Component Development Prototypes and above (referred to as '6.4' and above).

"(2) Nothing in paragraph (1) may be construed to prohibit the departments, Agencies, and components of the Department from expending on eligible technologies in a fiscal year an amount for that fiscal year in excess of the amount otherwise required by that paragraph.

"(e) PERMANENT AUTHORITY.—Such section is further amended by striking subsection (f).

SA 4273. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitile H of title VIII, add the following:

SEC. 899C. PILOT PROGRAM FOR STREAMLINED TECHNOLOGY TRANSITION FROM THE SMALL BUSINESS AUTHORITY FOR DEFENSE RESEARCH AND DEVELOPMENT PROGRAMS OF THE DEPARTMENT OF DEFENSE.

(a) Definitions.—In this section—

(1) the terms "commercialization", "SBIR", "STTR", "SBIR Phase II", and "Phase III" have the meanings given those terms in section 9(e) of the Small Business Act (15 U.S.C. 638(e));

(2) the term "covered small business concern" means—

(A) a small business concern that completed a Phase II award under the SBIR or STTR program of the Department of Defense; or

(B) a small business concern that—

(i) completed a Phase I award under the SBIR or STTR program of the Department of Defense; and

(ii) a contracting officer for the Department of Defense recommends for inclusion in a source selection award contract described in subsection (b);

(3) the term "multiple award contract" has the meaning given the term in section 3302(a) of title 41, United States Code; and

(4) the term "pilot program" means the pilot program established under subsection (b) and


The Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

(2) COVERED IRANIAN PERSON.—The term "covered Iranian person" means an Iranian person that—

(A) is included on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury and the targeted funds, funds, and properties in property of or subject to any executive order pursuant to any national security letter, and are blocked pursuant to any national security letter, and are blocked pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) for acting on behalf of or at the direction of, or controlling by, the Government of Iran;

(B) is included on the list of persons identified as blocked solely pursuant to Executive Order 13596; or

(C) in the case of an Iranian person described in paragraph (3)(B)—

(i) is owned, directly or indirectly, by—

(I) the Revolutionary Guard Corps, or any agent or affiliate thereof; or

(ii) one or more other Iranian persons that are included on the list of specially designated nationals and blocked persons as described in subparagraph (A) if such Iranian persons collectively own a 25 percent or greater interest in the Iranian person; or

(ii) is controlled, managed, or directed, directly or indirectly, by Iran’s Revolutionary Guard Corps, or any agent or affiliate thereof, or by one or more other Iranian persons described in clause (I).

(3) IRANIAN PERSON.—The term "Iranian person" means—

(A) an individual who is a national of Iran; or

(B) an entity that is organized under the laws of Iran or otherwise subject to the jurisdiction of the Government of Iran.

(4) PERSON.—The term "person" means—

(A) a multiple award contract described in clause (I); or

(B) the term "significant transaction or transactions."—The term "significant transaction or transactions" shall be determined, for purposes of this section, in accordance with section 561.404 of title 31, Code of Federal Regulations, as such section 561.404 was in effect on April 22, 2016.

(5) SIGNIFICANT TRANSACTION OR TRANSACTIONS.—The term "significant transaction or transactions" shall be determined, for purposes of this section, in accordance with section 561.404 of title 31, Code of Federal Regulations, as such section 561.404 was in effect on January 1, 2016.

SA 4272. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 212 and insert the following:
small business concerns for the purchase of technologies, supplies, or services that the
covered small business concern has developed through the SBIR or STTR program.
(c) Waiver of Competition in Contracting Act Requirements.—The Secretary of the
Defense may establish procedures to waive provisions of section 2304 of title 10, United
States Code, for purposes of carrying out the pilot program.
(d) Use of Contract Vehicle.—A multiple award contract described in subsection (b) may be
awarded by any service or component of the Department of Defense.
(e) Termination.—The pilot program established under this section shall terminate on
September 30, 2017.
(f) Rule of Construction.—Nothing in this section shall be construed to prevent the
commercialization of products and services produced by a small business concern under
an SBIR or STTR program of a Federal agency through—
(1) direct awards for Phase III of an SBIR or STTR program; or
(2) any other contract vehicle.

SA 4274. Mr. MENENDEZ (for himself and Mr. BOOKER) submitted an amendment
intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for
military activities of the Department of Defense, for military construction, and for defense activities of the
Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was
ordered to lie on the table; as follows:

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

SEC. 1114. PAY PARITY FOR DEPARTMENT OF DEFENSE EMPLOYEES EMPLOYED AT
JOINT BASES.

(a) Definitions.—For purposes of this section—
(1) the term ‘‘covered joint military installation’’ means a joint military installation—
(A) created as a result of the recommendations of the Defense Base Closure and Realignment
Commission in the 2005 base closure process; and
(B) for which the Federal Prevailing Rate Advisory Committee has recommended that the Office of Personnel Management consoli-
date or merge pay locality with another pay locality; or
(2) the term ‘‘joint military installation’’ means 2 or more military installations reor-
ganized or otherwise associated and operated as a single military installation;
(3) the term ‘‘locality pay’’ means any amount payable under section 5303 or 5304a of
title 5, United States Code; and
(4) the term ‘‘locality locality’’ has the meaning given that term by section 5302(5) of title
5, United States Code.

(b) Pay Parity at Joint Bases.—If 2 or more military installations were reorganized or
otherwise associated as a single covered joint military installation, and the con-
stituent installations are not all located within the same pay locality, all Department
of Defense employees of the respective installa-
tions constituting the covered joint military installation (who are otherwise en-
titled to locality pay) shall receive locality pay at a uniform percentage equal to the percentage
which is payable with respect to the pay locality which includes the con-
stituent installation with the highest locality pay (expressed as a percentage).

(c) Regulations.—The Office of Personnel Management shall prescribe regulations to
carry out this section.

(d) Applicability.—This section shall apply with respect to pay periods beginning
on or after such date (not later than 1 year after the date of enactment of this Act) as
the Secretary of Defense shall determine, in consultation with the Director of the Office
of Personnel Management.

SA 4275. Mr. MENENDEZ submitted an amendment intended to be proposed by
him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for
military activities of the Department of Defense, for military construction, and for defense activities of the
Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was
ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. CERTAIN SERVICE DEEMED TO BE ACTIVE MILITARY SERVICE.

(a) In General.—For purposes of section 401(a)(1)(A) of the GI Bill Improvement Act
of 1977 (38 U.S.C. 3006 note), the Secretary of Defense shall determine, in consultation with the Director of the Office
of Personnel Management, that service of an individual constituted active military service.

(b) Determination of Discharge Status.—The Secretary of Defense shall issue an hon-
orable discharge under section 401(a)(1)(B) of the GI Bill Improvement Act of 1977 to each person whose qualified service warrants an
honorable discharge. Such discharge shall be issued before the end of the one-year period
beginning on the date of the enactment of this Act.

(c) Prohibition of Retroactive Benefits.—No benefits may be paid to any individual as a result of the enactment of this
section for any service before the date of the enactment of this Act.

(d) Qualified Service Defined.—In this section, the term ‘‘qualified service’’ means
service of an individual as a member of the Federal Government that is considered to be a
qualified service of an individual constituted active military service.

SEC. 1613. COMMERCIAL USE OF EXCESS INTERCONTINENTAL BALLISTIC MISSILES BY UNITED STATES COMMERCIAL SPACE TRANSPORTATION SERVICES PROVIDERS.

(a) In General.—Section 50134(b) of title 51, United States Code, is amended—
(1) in subsection (a), by inserting ‘‘and United States commercial’’ after ‘‘Authorized Federal’’; and
(2) in paragraph (1)—
(A) by striking ‘‘and United States commercial’’ after ‘‘Missile Provider’’; and
(B) in subparagraph (A), by striking ‘‘and United States commercial’’ after ‘‘Missile Provider’’; and

SEC. 591. MODIFICATION OF PERSONS SUBJECT TO REGISTRATION FOR MILITARY SELECTIVE SERVICE ONLY PURSUANT TO STATUTE.

(a) Sense of Congress.—It is the sense of Congress that the decision of the Secretary of Defense to open all military occupational specialties to women raises important legal, political, and social questions about who should be required to register for military selective service and how the Military Selective Service Act currently benefits the national security of the United States.

(b) Report.—Not later than July 1, 2017, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the current and future need for a centralized registration system for military selective service. The report shall include an assessment of—
(1) whether a continuing need exists for a selective service system designed to produce large quantities of military providers; and
(2) if so, whether that system should include mandatory registration by citizens and residents regardless of gender.

(c) Consultation.—In preparing such report the Secretary shall consult with the Secretary of Defense and the Secretary of Homeland Security.
United States commercial providers before being provided to the United States commercial provider concerned:—

(b) ADDITIONAL LIMITATIONS; TERMINATION.—The termination of authority of such section is further amended by adding at the end the following new subsection:

(1) NUMBER OF FLIGHT VEHICLES PRODUCED YEARLY BY ANY SINGLE PROVIDER.—The total number of space transportation vehicles produced by United States commercial providers in a year using motors from missiles transferred or otherwise provided to the United States commercial provider under this section in any year may not exceed 15 vehicles.

(2) NUMBER OF FLIGHT VEHICLES PRODUCED YEARLY BY ALL PROVIDERS.—The total number of space transportation vehicles produced by United States commercial providers in a year using motors from missiles transferred or otherwise provided to United States commercial providers under this section may not exceed 25 vehicles.

(3) MINIMUM PAYLOAD MASS.—No space transportation vehicle produced by a United States commercial provider in a year using motors from missiles transferred or otherwise provided to the United States commercial provider under this section may not have a combined mass of 200 kg or less.

(e) TERMINATION OF UNITED STATES COMMERCIAL PROVIDER AUTHORITY.—

(1) IN GENERAL.—Except as provided in paragraph (2), the authority under this section to transfer or otherwise provide a missile or its components under section (c) to a United States commercial provider for use as a space transportation vehicle shall terminate on the date that is 5 years after the date of the enactment of this Act.

(2) EXCEPTION.—The termination of authority under paragraph (1) shall not affect the use of motors from missiles transferred or otherwise provided to a United States commercial provider under this section pursuant to contracts entered into before such termination.

(c) MULTIAGENCY REVIEW.—Not later than 36 months after the date of the enactment of this Act, the Secretary of Defense, the Secretary of Transportation, and the Administrator of the National Aeronautics and Space Administration shall conduct a multiagency review of the authority provided under section 50134 of title 51, United States Code, as amended by this section, to provide excess intercontinental ballistic missiles to United States commercial space transportation services providers for use as space transportation services providers for use as space transportation vehicles under section 50134 of title 51, United States Code, as amended by this section.

(d) SENSE OF CONGRESS.—It is the sense of Congress that no significant consequences to the industrial base of the United States are found in the multiagency review required by subsection (c), the authority to provide excess intercontinental ballistic missiles to United States commercial space transportation services providers for use as space transportation vehicles under section 50134 of title 51, United States Code, as amended by this section, should be extended before the termination date under subsection (e) of that section.

SA 4279. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

(a) IN GENERAL.—Section 2015 of title 10, United States Code, is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

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

(b) MINIMUM PAYLOAD MASS.—No space transportation vehicle produced by a United States commercial provider in a year using motors from missiles transferred or otherwise provided to the United States commercial provider under this section may not exceed 15 vehicles.

(b) ADDITIONAL LIMITATIONS.—

(1) BY DESIGNS.—The termination of authority of such section is further amended by adding at the end the following new subsection:

(1) NUMBER OF FLIGHT VEHICLES PRODUCED YEARLY BY ANY SINGLE PROVIDER.—The total number of space transportation vehicles produced by United States commercial providers in a year using motors from missiles transferred or otherwise provided to the United States commercial provider under this section in any year may not exceed 15 vehicles.

(2) NUMBER OF FLIGHT VEHICLES PRODUCED YEARLY BY ALL PROVIDERS.—The total number of space transportation vehicles produced by United States commercial providers in a year using motors from missiles transferred or otherwise provided to United States commercial providers under this section may not exceed 25 vehicles.

(3) MINIMUM PAYLOAD MASS.—No space transportation vehicle produced by a United States commercial provider in a year using motors from missiles transferred or otherwise provided to the United States commercial provider under this section may not have a combined mass of 200 kg or less.

(e) TERMINATION OF UNITED STATES COMMERCIAL PROVIDER AUTHORITY.—

(1) IN GENERAL.—Except as provided in paragraph (2), the authority under this section to transfer or otherwise provide a missile or its components under section (c) to a United States commercial provider for use as a space transportation vehicle shall terminate on the date that is 5 years after the date of the enactment of this Act.

(2) EXCEPTION.—The termination of authority under paragraph (1) shall not affect the use of motors from missiles transferred or otherwise provided to a United States commercial provider under this section pursuant to contracts entered into before such termination.

(c) MULTIAGENCY REVIEW.—Not later than 36 months after the date of the enactment of this Act, the Secretary of Defense, the Secretary of Transportation, and the Administrator of the National Aeronautics and Space Administration shall conduct a multiagency review of the authority provided under section 50134 of title 51, United States Code, is amended—

(d) SENSE OF CONGRESS.—It is the sense of Congress that no significant consequences to the industrial base of the United States are found in the multiagency review required by subsection (c), the authority to provide excess intercontinental ballistic missiles to United States commercial space transportation services providers for use as space transportation vehicles under section 50134 of title 51, United States Code, as amended by this section, should be extended before the termination date under subsection (e) of that section.

SA 4278. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XXVIII, add the following:

SEC. 2814. DURATION OF UTILITY ENERGY SERVICE CONTRACTS—

Section 2931 of title 10, United States Code, is amended by adding at the end the following new subsection:

(e) DURATION OF CONTRACTS.—An utility energy service contract entered into under this section may have a contract period not to exceed 25 years.

SA 4279. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XXVIII, add the following:

SEC. 2814. DURATION OF UTILITY ENERGY SERVICE CONTRACTS—

Section 2931 of title 10, United States Code, is amended by adding at the end the following new subsection:

(e) DURATION OF CONTRACTS.—An utility energy service contract entered into under this section may have a contract period not to exceed 25 years.

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Section 2931 of title 10, United States Code, is amended by adding at the end the following new subsection:

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SEC. 2814. DURATION OF UTILITY ENERGY SERVICE CONTRACTS—

Section 2931 of title 10, United States Code, is amended by adding at the end the following new subsection:

(e) DURATION OF CONTRACTS.—An utility energy service contract entered into under this section may have a contract period not to exceed 25 years.
SEC. 2804. ANNUAL LOCALITY ADJUSTMENT OF DOLLAR THRESHOLDS APPLICABLE TO UNSPECIFIED MINOR MILITARY CONSTRUCTION AUTHORITIES.

Section 2805 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(f) ADJUSTMENT OF DOLLAR LIMITATIONS FOR LOCATION.—Each fiscal year, the Secretary concerned shall adjust the dollar limitations specified in this section applicable to an unspecified minor military construction project to reflect the area construction cost index for military construction projects published by the Department of Defense during the prior fiscal year for the location of the project.".

SA 4281. Ms. HIRONO (for herself and Mr. WYDEN) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title III, add the following:

SEC. 306. AUTHORITY TO USE ENERGY SAVINGS INVESTMENT FUND FOR ENERGY MANAGEMENT INITIATIVES.

Section 203(b)(2) of title 10, United States Code, is amended by striking "", to the extent provided for in an appropriations Act,"".

SA 4282. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1144. SENSE OF CONGRESS ON BUSINESS CASES ANALYSES FOR DECISIONS AFFECTING THE WORKFORCE AND MOUNTAIN VIEW LOCATIONS OF WHERE WORK WILL BE EXECUTED OR COMPLETED.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) in a budget constrained environment, the military departments and Defense Agencies must utilize all available tools to make informed, supportable decisions in moving workforce and workload from one location or entity to another;

(2) such tools should include a properly supported and documented business case analysis (BCA);

(3) several military departments and Defense Agencies have fallen short of this analysis and support with respect to decision described in paragraph (1) in recent months;

(4) in one such case—

(A) the Air Force relied exclusively on a rough order economic analysis on an engine source of repair as justification for moving nearly $40,000,000 per year of workload; and

(B) in its decision, the Air Force had only planned to accomplish business case analyses to shift work after award of the solicitation;

(5) in another such case—

(A) the Defense Health Agency announced that it would be closing the Pacific Joint Information Technology Center (PJITC), with an annual operation and maintenance cost of $5,800,000, without supporting documentation or analysis;

(B) the center performs Health Information Technology (HIT) research and innovation and serves as a test center for joint concept technology development (JCTD) prototyping for the Department of Defense and the Department of Veterans Affairs for information technology products and services;

(C) if the center is closed, ongoing interoperability projects between the Department of Defense and the Department of Veterans Affairs will lose a critical health information technology knowledge base which was responsible for the Joint Legacy Viewer (JLV) which, in turn, is deployed throughout the Department of Defense and the Department of Veterans Affairs and meets required interoperability standards;

(D) Defense Health Agency officials contend that the quality of the work completed at the center is not at issue, and they plan to continue the work at a different facility which is not a joint research facility and does not have the capability or capacity to continue the work at the center;

(6) before a military department or Defense Agency embarks on a workforce decision of workload in excess of $3,000,000 per year, the Department of the Army should understand the possible costs, benefits, risks, and impacts to the small business goals, small and disadvantaged contracting agreements, and other sensitivities the Department is associated with such a decision;

(7) the military departments and Defense Agencies should perform a business case analysis, as part of the workforce decision described in paragraph (6);

(8) any such business case analysis for a workforce decision having an annual estimated cost of $300,000 or more should be reviewed and approved by the Under Secretary of Defense for Acquisition, Technology, and Logistics, and the Under Secretary should provide such business case analysis to the congressional defense committees at least 30 days before taking any action to effect a shift in the workload concerned;

(9) the Assistant Secretary of Defense for Logistics, Materiel, and Readiness, working with the Cost Analysis Program Evaluation office, should develop minimum standards and criteria for business case analyses covered by this section and a process for the review and transparency of such business case analyses; and

(10) the Assistant Secretary should submit to the congressional defense committees, by not later than 180 days after the date of the enactment of this Act, a report on the plan of the Assistant Secretary plan to implement the standards and criteria described in paragraph (9).

(b) BUSINESS CASE ANALYSIS DEFINED.—In this section, the term "business case analysis" means a structured methodology and decision support aids decision making by identifying and comparing alternatives by examining the mission and business impacts (both financial and non-financial), risks, and sensitivities.

SA 4283. Mr. REID (for Mr. BLUMENTHAL) submitted an amendment intended to be proposed by Mr. Reid to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title VI, add the following:

SEC. 663. LIMITATION ON SALE OF DIETARY SUPPLEMENTS IN COMMISSIONARY AND EXCHANGE STORES.

(a) LIMITATION.—Section 2804(c) of title 10, United States Code, is amended by adding at the end the following new subsection:

"(4) The Secretary of Defense, in consultation with the Commissioner of Food and Drugs, the Federal Trade Commission, and the Office of Dietary Supplements at the National Institutes of Health, shall establish a definition for a product category for dietary supplements that are considered to be high risk. The dietary supplement, within the product category shall include dietary supplements that are marketed for muscle building, weight loss, and sexual enhancement.

"(B) A dietary supplement in the product category of dietary supplements considered to be high risk under subparagraph (A) may be sold by a commissary store or exchange store, or a retail establishment operating on a military installation, only if the dietary supplement has been verified by an independent third party for public standards of identity, purity, strength, and composition, and adherence to related procurement standards.

"(C) The Secretary of Defense and the Commissioner of Food and Drugs shall jointly identify the third parties that may provide verification under subparagraph (B).

"(D) In this paragraph, the term 'dietary supplement' has the meaning given that term in section 201(ff) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(ff))."

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date that is one year after the date of the enactment of this Act, and shall apply with respect to sales that occur on or after such effective date.

SA 4284. Mr. REID (for Mr. BLUMENTHAL) submitted an amendment intended to be proposed by Mr. Reid to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title VI, add the following:

SEC. 597. ENHANCEMENT OF USE OF VETERANS' SERVICE ORGANIZATIONS TO CARRY OUT THE TRANSITION ASSISTANCE PROGRAM OF THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—Section 1444 of title 10, United States Code, is amended—

(1) in subsection (d)(4), by inserting "subject to subsection (e)," before "use representatives";

(2) by redesignating subsections (e) and (f) as subsections (f) and (g), respectively; and

(b) USE OF VETERANS' SERVICE ORGANIZATIONS.—The Secretary of Defense, the Secretary of Veterans Affairs, and appropriate veterans' service organizations shall jointly enter into a memorandum of understanding regarding the manner in which representatives of veterans' service organizations shall be used for purposes of the program established under this section, including the nature and
scope of access of such representatives to military installations for that purpose. The memorandum of understanding shall apply to any veterans’ service organization whose representatives are used for purposes of the program, regardless of whether or not the organization is expressly a party to the memorandum of understanding.

SEC. 4828. VETERANS’ SERVICE ORGANIZATION DEFINED.—Such section is further amended by adding at the end the following new subsection:

(ii) while employed by the covered agency in a national security position, the individual is assigned an ILR skill level of 5.

(B) AMOUNT.—The bonus described in subparagraph (A) shall be equal to—

(iii) $25,000 if the individual is assigned an ILR skill level of 4; and

(iii) $30,000 if the individual is assigned an ILR skill level of 5.

(C) LIMITATION.—An individual may receive only 1 bonus under this paragraph.

(S) ADJUSTMENT OF AMOUNT.—The head of a covered agency may adjust the amounts of the bonuses described in paragraph (1) and (2) to equal amounts that the head of the covered agency determines is necessary to maintain staff in the covered agency with proficiency in critical languages.

ASP. EMPLOYEES OF THE FEDERAL BUREAU OF INVESTIGATION.—In this section—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

(B) an entity organized under the laws of the United States or of any jurisdiction within the United States, including a foreign branch of such an entity.

SEC. 1283. LIMITATION ON ARMS TRANSFERS TO VIETNAM.

(a) LIMITATION ON ARMS TRANSFERS.—No letter of offer to sell major defense equipment to Vietnam may be issued pursuant to that Act in a fiscal year until the Secretary of State, under the direction of the President, makes the certification described in subsection (b) for that fiscal year.

(b) CERTIFICATION DESCRIBED.—The certification described in this subsection is a certification by the Secretary of State, under the direction of the President, to the appropriate congressional committees that the Government of Vietnam has substantially improved its human rights practices, including, at a minimum, the following problems identified by the Secretary of State in the Country Reports on Human Rights Practices for 2015:

(1) severe government restrictions of the political rights of citizens, particularly their right to change their government through free and fair elections;

(2) limits on the civil liberties of citizens, including freedom of assembly, association, and expression;

(3) inadequate protection of the due process rights of citizens, including protection against arbitrary detention;

(4) arbitrary and unlawful deprivation of life;

(5) Police attacks and corporal punishment.

(b) AMOUNT.—The bonus described in subsection (a) shall be equal to—

(i) $25,000 if the individual is assigned an ILR skill level of 3; and

(iii) at least $15,000 but not less than $10,000 if the individual is assigned an ILR skill level of 2.

(3) the term ‘ILR’ means the Interagency Language Roundtable.

(b) BONUSES.—

(1) RECRUITING BONUS.—

(A) In General.—The head of a covered agency may pay a bonus under this section to an individual who is newly appointed as an employee of the covered agency in a national security position.

(B) AMOUNT.—The bonus described in subparagraph (A) shall be equal to—

(ii) $31,250 if the individual has been assigned an ILR skill level of 5.

(iii) $25,000 if the individual is assigned an ILR skill level of 4; and

(iii) $30,000 if the individual is assigned an ILR skill level of 5.

(C) LIMITATION.—An individual may receive only 1 bonus under this paragraph.

(S) ADJUSTMENT OF AMOUNT.—The head of a covered agency may adjust the amounts of the bonuses described in paragraph (1) and (2) to equal amounts that the head of the covered agency determines is necessary to maintain staff in the covered agency with proficiency in critical languages.

(2) A PROPER CONGRESSIONAL COMMITTEE AMENDMENT.—The following section begins—

(A) the term ‘covered agency’ means—

(1) the head of a covered agency may adjust the amounts of the bonuses described in paragraph (1) and (2) to equal amounts that the head of the covered agency determines is necessary to maintain staff in the covered agency with proficiency in critical languages.

(3) EMPLOYEES OF THE FEDERAL BUREAU OF INVESTIGATION.—In this section—

(A) the term ‘ILR’ means the Interagency Language Roundtable.

(3) the term ‘ILR’ means the Interagency Language Roundtable.

(1) the term ‘covered agency’ means—

(1) the term ‘covered agency’ means—

(i) $25,000 if the individual is assigned an ILR skill level of 3; and

(iii) $31,250 if the individual has been assigned an ILR skill level of 5.

(ii) $25,000 if the individual is assigned an ILR skill level of 4; and

(iii) $30,000 if the individual is assigned an ILR skill level of 5.

(A) the term ‘ILR’ means the Interagency Language Roundtable.

(2) the term ‘critical language’ means—

(A) Arabic;

(F) Tajik;

(G) Turkish;

(3) the term ‘ILR’ means the Interagency Language Roundtable.

(2) the term ‘critical language’ means—

(A) Arabic;

(F) Tajik;

(G) Turkish;

(3) the term ‘ILR’ means the Interagency Language Roundtable.

(2) the term ‘critical language’ means—

(A) Arabic;

(F) Tajik;

(G) Turkish;

(3) the term ‘ILR’ means the Interagency Language Roundtable.

(2) the term ‘critical language’ means—

(A) Arabic;

(F) Tajik;

(G) Turkish;

(3) the term ‘ILR’ means the Interagency Language Roundtable.

(2) the term ‘critical language’ means—

(A) Arabic;

(c) SANCTIONS.—

(1) PROHIBITION ON ENTRY AND ADMISSION TO THE UNITED STATES.—

(A) IN GENERAL.—An individual on the list required by subsection (b)(1) may—

(i) be admitted to, enter, or transit through the United States;

(ii) receive any lawful immigration status in the United States under the immigration laws, including any relief under the Convention Against Torture; or

(iii) file any application or petition to obtain such admission, entry, or status.

(B) EXCEPTIONS TO COMPLY WITH INTER-NAZIONALEN VERTRÄGE.—The President may, by regulation, authorize exceptions to sub-paragraph (A) to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, and other applicable international agreements.

(2) BLOCKING OF PROPERTY.—

(A) IN GENERAL.—The President shall, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)

block and prohibit all transactions in all property and interests in property of a person on the list required by subsection (b)(1) if such property and interests in property under subpara-graph (A) shall not include the authority to impose sanctions on the importation of goods.

(II) GOOD.—In this paragraph, the term ‘good’ has the meaning given that term in section 16 of the Export Administration Act of 1979 (50 U.S.C. 4618) (as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.).

(C) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of subparagraph (A) or any regulation, license, or order issued to carry out subparagraph (A) shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an analogous act described in subsection (a) of that section.

(d) WAIVER.—The President may waive the requirement to impose or maintain sanctions with respect to an individual under subparagraph (A) of this subsection (b) if the President—

(1) determines that such a waiver is in the national interest of the United States; and

(2) submits to the appropriate congressional committees a report describing the reasons for the determination.

(e) TERMINATION OF SANCTIONS.—The provi-sions of this section shall terminate on the date on which the President determines and certifies to the appropriate congressional committees that the Government of Vietnam has—

(1) unconditionally released all political prisoners;

(2) ceased its practices of violence, unlawful detention, torture, and abuse of nationals of Vietnam while those nationals are engaging in activities designated pursuant to this section (a).

The Secretary shall prioritize the issuance of special immigrant visas authorized under—

(1) section 1559 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 8 U.S.C. 1101 note);

(2) section 1244 of the Refugee Crisis in Iraq Act of 2007 (8 U.S.C. 1157 note); and

(3) section 922 of the Chemical and Biological Protection Act of 2009 (8 U.S.C. 1101 note).
other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XVI, add the following:

SEC. 1067. INCREASED FUNDING FOR CERTAIN MUNITIONS DEVELOPMENT ACTIVITIES.

(a) PROCUREMENT, DEFENSE-WIDE.—The amount authorized to be appropriated for fiscal year 2017 for the Department of Defense by section 101 is hereby increased by $290,000,000, with the amount of increase to be available for procurement, Defense-wide, as specified in the funding table in section 401 and available for procurement for purposes, and in amounts, as follows:

(1) Iron Dome, $20,000,000.
(2) David’s Sling Weapon System, $150,000,000.
(3) Arrow 3 Upper Tier, $120,000,000.

(b) RDT&E, DEFENSE-WIDE.—The amount authorized to be appropriated for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle J of title X, add the following:

SEC. 1097. TRANSFER OF HUMAN REMAINS.

(a) DEFINITIONS.—In this section:

(1) CLAIMANT TRIBES.—The term “claimant tribes” means the Indian tribes and band referred to in the letter from Secretary of the Interior Bruce Babbitt to Secretary of the Army Louis Caldera, relating to the human remains and the claimants thereof, dated February 13, 2000.
(2) DEFENSE.—The term “Department” means the Department of the Army Louis Caldera, relating to the human remains and the claimants thereof, dated February 13, 2000.

(b) TRANSFER.—Notwithstanding any other provision of law, for the taxable year an amount equal to

(iv) Application fees to a State board, association, or other certifying or licensing body.

(ii) Costs of additional coursework required for eligibility for licensing or certification specific to States other than costs in connection with continuing education courses.

(f) Reimbursements under this paragraph shall be distributed to States in accordance with the Act.

(g) The term “remaining” means the remaining.

SECTION 352. AUTHORITY FOR REIMBURSEMENT OF SPOUSES FOR COSTS OF PROFESSIONAL RE-LICENSE AND RE-CERTIFICATION IN A NEW STATE IN CONNECtion WITH PERMANENT CHANGE OF STATION OF MEMBERS OF THE ARMED FORCES.

Section 1784(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

(3) VA. If established under this subsection, the program under this subsection shall provide for the reimbursement of a spouse of a member of the armed forces described in subsection (b) and (without regard to the exception in subsection (c)) for costs incurred by the spouse in obtaining professional re-licensure or re-certification in association with the member’s permanent change of station to a location in such State.

(4) Reimbursements under this paragraph shall be available for the following:

(i) Application fees to a State board, association, or other certifying or licensing body.

(ii) Costs of additional coursework required for eligibility for licensing or certification specific to States other than costs in connection with continuing education courses.

(f) Reimbursements under this paragraph shall be distributed to States in accordance with the Act.

(g) The term “remaining” means the remaining.

SECTION 1422. NATIONAL ACADEMIES OF SCIENCES STUDY ON CONVENTIONAL MUNITIONS DEMILITARIZATION ALTERNATIVE TECHNOLOGIES.

(a) IN GENERAL.—The Secretary of the Army shall enter into an arrangement with the Board on Army Science and Technology of the National Academies of Sciences, Engineering, and Medicine to conduct a study of the conventional munitions demilitarization program of the Department of Defense.

(b) ELEMENTS.—The study required pursuant to subsection (a) shall include the following:

(1) A review of the current conventional munitions demilitarization stockpile, including types of munitions and types of materials contaminated with propellants or energetic materials, and the disposal technologies used.
SA 4294. Mr. WYDEN (for himself and Ms. HIRONO) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 332A. REVISED POLICY ON GROUND COMBAT AND CAMOUFLAGE UTILITY UNIFORMS.

(a) ESTABLISHMENT OF POLICY.—Not later than October 1, 2018, the Secretary of Defense shall eliminate the development and fielding of, Arm Force-specific combat and camouflage utility uniforms and families of uniforms in order to adopt and field a common combat and camouflage utility uniform or family of uniforms for specific combat environments to be used by all members of the Armed Forces.

(b) PROHIBITION.—Except as provided in subsection (c), after the date of the enactment of this Act, the Secretary of Defense shall prohibit the Department of Defense from authorizing the use of any combat or camouflage utility uniform or family of uniforms.

(c) EXCEPTIONS.—Nothing in subsection (b) shall be construed as—

(1) prohibiting the development of combat and camouflage utility uniforms and families of uniforms for use by particular Armed Forces; or

(2) prohibiting engineering modifications to existing uniforms that improve the performance of combat and camouflage utility uniforms, including power harnessing or generating textiles, fire resistant fabrics, and other such items as determined by the Secretary.

SEC. 332B. AMENDMENTS TO THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2017.

(a) ESTABLISHMENT OF POLICY.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall update the following:


SEC. 332C. AMENDMENTS TO THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2017.

(a) ESTABLISHMENT OF POLICY.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall establish, by not later than December 31, 2017, the Secretary of Defense shall eliminate the development and fielding of, Armed Force-specific combat and camouflage utility uniforms and families of uniforms in order to adopt and field a common combat and camouflage utility uniform or family of uniforms for specific combat environments to be used by all members of the Armed Forces.

(b) PROHIBITION.—Except as provided in subsection (c), after the date of the enactment of this Act, the Secretary of Defense shall prohibit the development and fielding of, Armed Force-specific combat and camouflage utility uniforms and families of uniforms in order to adopt and field a common combat and camouflage utility uniform or family of uniforms for specific combat environments to be used by all members of the Armed Forces.

(c) EXCEPTIONS.—Nothing in subsection (b) shall be construed as—

(1) prohibiting the development of combat and camouflage utility uniforms and families of uniforms for use by Armed Forces; or

(2) prohibiting engineering modifications to existing uniforms.

SEC. 332B. AMENDMENTS TO THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2017.

(a) ESTABLISHMENT OF POLICY.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall update the following:

(3) in subsection (c)(1), by amending subparagraph (B) to read as follows:

"(B) is not a health care provider of the Department of Defense for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitile I of title X, add the following:

SEC. 227. LIMITATIONS ON TRANSFER OF CERTAIN UNITED STATES MUNITIONS TO SAUDI ARABIA.

(a) SENSE OF CONGRESS.—It is the sense of Congress that no funds authorized for the Defense Security Cooperation Agency by this Act, or otherwise available to the Agency may be used to carry out the provisions of the Arms Export Control Act (22 U.S.C. 2751 et seq.), for the purpose of implementing a sale of air-to-ground munitions to Saudi Arabia unless the Government of Saudi Arabia—

(1) demonstrates an ongoing effort to combat the mutual threat our nations face from designated terrorist organizations, and

(2) takes all feasible precautions to reduce the risk of harm to civilians and civilian objects, in compliance with international humanitarian law, in the course of military actions conducted in a classified setting as required.

(b) DEFINITIONS.—In this section:

(1) AIR-TO-GROUND MUNITIONS.—The term "air-to-ground munitions" means any United States bomb or missile designed as a Category IV munitions (as defined in the United States Munitions List pursuant to section 38 (a)(1) of the Arms Export Control Act (22 U.S.C. 2778 (a)(1)).

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means the Committee on Foreign Relations, the Committee on Armed Services, and the Select Committee on Intelligence of the Senate.

(c) AUTHORIZED SALE.—The term "authorized sale" means any sale of United States defense articles or services authorized pursuant to the Arms Export Control Act.

(d) CONDITIONS REQUIRED PRIOR TO SALE.—

(1) LIMITATION.—No transfer to Saudi Arabia of air-to-ground munitions may occur until the President makes the certification described under subsection (d).

(2) CERTIFICATION AT TIME OF CONGRESSIONAL NOTIFICATION.—Any notification to Congress made on or after the date of enactment of this Act with respect to a proposed sale to Saudi Arabia of air-to-ground munitions shall be accompanied by the certification described under subsection (d).

(d) CONDITIONS REQUIRED PRIOR TO SALE.—The certification described under this subsection is a certification by the President to the appropriate congressional committees as follows:

(1) The Government of Saudi Arabia and its coalition partners are taking all feasible precautions to reduce the risk of harm to civilians and civilian objects to comply with their obligations under international humanitarian law, including minimizing harm to civilians, discriminating between civilian objects and military objectives, and exercising proportional use of force in the course of military actions conducted in a classified setting as required.

(2) The Government of Saudi Arabia is taking all necessary measures to target designated foreign terrorist organizations, including al Qaeda in the Arabian Peninsula and the Islamic State of Iraq and the Levant.

(3) The Government of Saudi Arabia and its coalition partners are taking all necessary measures to target designated foreign terrorist organizations, including al Qaeda in the Arabian Peninsula and the Islamic State of Iraq and the Levant as part of its military operations in Yemen.

(e) REPORTING REQUIREMENTS.—Prior to any transfer of United States air-to-ground munitions to Saudi Arabia pursuant to an authorized sale to Saudi Arabia of air-to-ground munitions, the President or the Secretary of Defense shall provide a briefing to the appropriate congressional committees. The briefing shall include—

(A) a description of the nature, content, costs, and purposes of any United States support for the Government of Saudi Arabia’s coalition military operations in Yemen on or after March 26, 2015, and whether the armed forces of the Government of Saudi Arabia and its coalition partners have taken all possible steps to comply with the rules of distinction, proportionality, and precautions, as regulated by Additional Protocol I to the Geneva Conventions of 12 August 1949, and relating to the protection of victims of International Armed Conflicts, done at Geneva June 8, 1977;

(B) an assessment of whether the Government of Saudi Arabia’s coalition operations have deliberately targeted civilian infrastructure in Yemen on or after March 26, 2015, and how that affects the United States’ credibility in the region; and

(C) an assessment of the effect of Saudi Arabia’s military operations in Yemen on its ability to contribute to United States efforts to defeat al Qaeda in the Arabian Peninsula and the Islamic State of Iraq and the Levant.

(f) FORM OF BRIEFING.—The briefing required under paragraph (e) shall be conducted in an unclassified forum but may be conducted in a classified setting as required.

(g) SENSE.—This section shall cease to have effect three years after the date of the enactment of this Act, unless renewed.

SA 4300. Mr. MURPHY (for himself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitile B of title II, add the following:

SEC. 221. RESEARCH AND DEVELOPMENT ON SMART GUN TECHNOLOGY.

The Director of the Defense Advanced Research Projects Agency may, using funds authorized to be appropriated by this Act or otherwise made available under this Act for the Defense Advanced Research Projects Agency, carry out research, development, test, and evaluation activities relating to smart gun technology.

SA 4301. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:
SA 4302. Mr. DONNELLY (for himself, Mr. CRUZ, and Mr. MANCINNE) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XI, add the following:

SEC. 1138. TIERED PREFERENCE ELIGIBILITY FOR MEMBERS OF RESERVE COMPONENTS OF THE ARMED FORCES.

(a) PREFERENCE ELIGIBILITY FOR MEMBERS OF RESERVE COMPONENTS OF THE ARMED FORCES.—Section 2108 of title 5, United States Code, is amended—

(1) in paragraph (3)—

(A) in subparagraph (G), by striking “and” at the end;

(B) in subparagraph (H), by adding “and” at the end; and

(C) by inserting after subparagraph (H) the following:

“(I) 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—

(1) has completed at least 10 years of service in a reserve component of the Armed Forces; and

(ii) in each year of service in a reserve component of the Armed Forces, was credited with at least 50 points under section 12732 of title 10; or

(7) ‘reserve component of the Armed Forces’ means a reserve component specified in section 101(27) of title 10.”.

(b) HIRING PREFERENCE FOR MEMBERS OF RESERVE COMPONENTS OF THE ARMED FORCES.—Section 3309 of title 5, United States Code, is amended—

(1) in paragraph (1), by striking “and” at the end; and

(2) in paragraph (2), by striking the period at the end and inserting a semicolon;

(3) by adding at the end the following:

“(A) who—

(i) has completed at least 6 years of service in a reserve component of the Armed Forces; and

(ii) in each year of service in a reserve component of the Armed Forces, was credited with at least 50 points under section 12732 of title 10; or

(B) who—

(i) has completed at least 10 years of service in a reserve component of the Armed Forces; and

(ii) in each year of service in a reserve component of the Armed Forces, was credited with at least 50 points under section 12732 of title 10; or

(7) ‘reserve component of the Armed Forces’ means a reserve component specified in section 101(27) of title 10.”.

(c) METRICS.—The plan shall include appropriate metrics for use in the evaluation of the implementation of the plan.

SA 4304. Mrs. McCASKILL submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part II of subtitle D of title V, add the following:

SEC. 554. REPORTS ON INCIDENTS OF SEXUAL ASSAULT MADE BY MEMBERS OF THE ARMED FORCES TO HEALTH CARE PERSONNEL OF THE DEPARTMENT OF VETERANS AFFAIRS TREATABLE AS DEPARTMENT OF DEFENSE RESTRICTED REPORTS.

(a) TREATMENT AT ELECTION OF MEMBERS.—Under procedures established by the Secretary of Veterans Affairs, a report on an incident of sexual assault made by a member of the Armed Forces to such health care personnel of the Department of Veterans Affairs as the Secretary shall specify for purposes of such procedures may, at the election of the member, be treated as a Restricted Report on the incident for Department of Defense purposes.

(b) TRANSMITTAL TO DEPARTMENT OF DEFENSE.—Under procedures jointly established by the Secretary of Veterans Affairs and the Secretary of Defense, a report on an incident of sexual assault treated as a Restricted Report pursuant to subsection (a) shall be transmitted to the Department of Veterans Affairs to such personnel of the Department of Defense who are authorized to access Restricted Reports on incidents of sexual assault as the Secretary of Defense shall specify for purposes of such procedures. The transmittal shall be made in a manner that preserves the confidential nature of the report as a Restricted Report.

SA 4305. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 562 and insert the following:

SEC. 562. MODIFICATION OF PROGRAM TO ASSIST MEMBERS OF THE ARMED FORCES IN OBTAINING PROFESSIONAL CREDENTIALS.

(a) SCOPE OF PROGRAM.—Subsection (a)(1) of section 2105 of title 10, United States Code, is amended by striking “incident to the performance of their military duties”.

(b) QUALITY ASSURANCE OF CERTIFICATION PROGRAMS AND STANDARDS.—Subsection (c) of such section is amended—

(1) in paragraph (1), by inserting before the period at the end the following: “, or meets the requirements in paragraph (3)’’; and

(2) by adding at the end the following new paragraph:

“(3) A credentialing program used in connection with the program under subsection (a) is eligible for funds under subsection (b) if successful completion of the program results in a recognized postsecondary credential, meeting an industry-recognized certificate or certification, a certificate of completion of an apprenticeship, or a license recognized by a State or the Federal Government, and is provided by an eligible training provider under section 122 of the Workforce Innovation and Opportunity Act (Public Law 113-128)”.

SA 4306. Mr. INHOFE (for himself, Mr. CRUZ, Mr. ROUNDS, Mr. COTTON, Mr. HATCH, Mr. TILLIS, Mr. RUBIO, Mr. MORA, Mr. THUNE, Mr. ISAACSON, Mr. LANDER, Mr. BROWN, and Mrs. ERNST) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title X, add the following:

SEC. 1031. ADVANCE NOTICE TO THE PUBLIC ON THE TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) ADVANCE NOTICE REQUIRED.—The Secretary, in making an announcement for transfer or release, shall not later than 21 days before the intended date of transfer or release, a notice on the decision to transfer or release any individual detained at Guantanamo.

(b) ELEMENTS OF NOTICE.—The notice on an individual pursuant to subsection (a) shall include the following:

(1) The name of the individual.

(2) The location to which the individual will be transferred or released.
(3) A summary of the agreement, if any, made with the government of the location accepting the transfer or release of the individual.
(4) The actions taken to mitigate the risks of the transfer or release of the individual from United States Naval Station, Guantánamo Bay, Cuba.
(c) The term "detained at Guantánamo Defined.—In this section, the term 'individually detained at Guantánamo' means any individual located at United States Naval Station, Guantánamo Bay, Cuba, as of June 24, 2009, who—
(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and
(2) is—
(A) in the custody or under the control of the Department of Defense; or
(B) otherwise under detention at United States Naval Station, Guantánamo Bay.

SA 4307. Mr. JOHNSON (for himself, Mr. LEAHY, Ms. MURkowski, and Mr. SCHUMER) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. JURISDICTION OVER OFFENSES COMMITTED BY CERTAIN UNITED STATES PERSONNEL STATIONED IN GUANTÁNAMO.

(a) SHORT TITLE.—This section may be cited as the ‘Promoting Travel, Commerce, and National Security Act of 2016’.
(b) AMENDMENT.—Chapter 212A of title 18, United States Code, is amended—
(1) in the chapter heading, by striking ‘TRAFFICKING IN PERSONS’; and
(2) by adding after section 2272 the following:

‘§ 3273. Offenses committed by certain United States personnel stationed in Guantánamo.

(a) I N GENERAL.—Whoever, while employed as a civilian employee, a contractor (including a subcontractor at any tier), or an employee of a contractor (or a subcontractor at any tier) of the Department of Homeland Security or the Department of Justice; ‘(B) otherwise under detention at United States Naval Station, Guantánamo Bay, Cuba.

SEC. 4308. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XII, add the following:

SEC. 1227. REPORT ON AIRPORTS USED BY MAHAN AIR.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, and annually thereafter through 2020, the Secretary of Homeland Security, in consultation with the Secretary of Transportation, the Secretary of State, the Secretary of the Treasury, and the Director of National Intelligence, shall submit to Congress a report that includes—

(1) a list of all airports at which aircraft owned or controlled by Mahan Air have landed during the 2 years preceding the submission of the report; and

(2) for each such airport:

(A) an assessment of whether aircraft owned or controlled by Mahan Air continue to conduct operations at that airport;

(B) an assessment of whether any of the landings of aircraft owned or controlled by Mahan Air were necessitated by an emergency situation;

(C) a determination regarding whether adding security measures to Mahan Air should be imposed on flights to the United States that originate from that airport; and

(D) an explanation of the rationale for that determination.

(b) FORM OF REPORT.—Each report required by subsection (a) shall be submitted in an unclassified form, but may include a classified annex.

(c) PUBLICATION OF LIST.—The list required by subsection (a)(1) shall be publicly and prominently posted on the website of the Department of Homeland Security on the date on which the report required by subsection (a) is submitted to Congress.

SA 4310. Mrs. GILLIBRAND (for herself, Ms. BALDWIN, Mr. WYDEN, Mr. UNITED, Mr. KIRK, Ms. MURKOWSKI, Mr. GRASSLEY, Mr. PAUL, Mr. BLUMENTHAL, Ms. STABENOW, Mr. HELLER, Mrs. BOXER, Ms. HIRONO, Mr. VITTER, Ms. KLOBUCHAR, Mr. BROWN, Ms. WARREN, Mr. LEAHY, Mr. DURBIN, Mr. DONNELLY, Mr. FEINSTEIN, Mr. MURRIN, Mr. MENENDEZ, Mr. COONS, Mr. MERKLEY, Mr. FRANKEN, Mr. CRUZ, Mrs. SHAHEEN, Ms. HEITKAMP, Mr. BOOKER, Mr. SANDERS, Mr. CASEY, Mr. PETERS, and Mr. SCHUMER) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title V, add the following:
SEC. 555. SHORT TITLE.

This part may be cited as the “Military Justice Reform Act of 2017.”

SEC. 557. MODIFICATION OF AUTHORITY TO DETERMINE TO PROCEED TO TRIAL BY COURT-MARTIAL ON CHARGES ON CERTAIN OFFENSES WITH AUTHORIZED MAXIMUM SENTENCE OF CONFINEMENT OF MORE THAN ONE YEAR.

(a) MODIFICATION OF AUTHORITY.—

(1) IN GENERAL.—

(A) MILITARY DEPARTMENTS.—With respect to charges under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), that allege an offense specified in subparagraph (A) or (B) as punishable under section 882 of title 10, United States Code (section 22 of the Uniform Code of Military Justice), a determination to try such charges by court-martial shall be made by a commissioned officer of the Armed Forces designated in accordance with regulations prescribed for purposes of this subsection from among commissioned officers of the Armed Forces in grade O-6 or higher who—

(i) are available for detail as trial counsel under section 827 of title 10, United States Code (article 27 of the Uniform Code of Military Justice);

(ii) have significant experience in trials by general or special court-martial; and

(iii) are not related to the subject matter of the charges by reason of a prior service relationship with the accused or the victim.

(B) Upon a determination under subparagraph (A), the officer making that determination shall determine whether to try such charges by a general court-martial convened under section 822 of title 10, United States Code (article 22 of the Uniform Code of Military Justice), or a special court-martial convened under section 823 of title 10, United States Code (article 23 of the Uniform Code of Military Justice).

(C) A determination under subparagraph (A) to try charges by court-martial shall include a determination to try all known offenses, including lesser included offenses.

(D) The determination to try such charges by court-martial under subparagraph (A), and by type of court-martial under subparagraph (B), shall be binding on any applicable convening authority for a trial by court-martial on such charges.

(E) For purposes of this subsection, the maximum punishment authorized under this chapter includes confinement for more than one year.

(b) EFFECTIVE DATE AND APPLICABILITY.

This part may be cited as the “Military Justice Reform Act of 2017.”

(1) FOR CONVENING COURTS-MARTIAL.—The provisions of this section are necessary to ensure compliance with this subsection.

(2) EFFECTIVE DATE.—The Secretary of the Army, the Secretary of the Navy, the Secretary of the Air Force, the Secretary of the Marine Corps, and the Commandant of the Marine Corps, in their respective departments, shall jointly review the policies and procedures under this paragraph in order to ensure that any lack of uniformity in the convening of courts-martial is dispelled, among the military departments and the Department of Homeland Security, as are necessary to ensure uniformity and compliance with this subsection.

(3) MODIFICATION OF OFFICERS AUTHORIZE TO CONVENE GENERAL AND SPECIAL COURTS-MARTIAL.

(a) IN GENERAL.—Subsection (a) of section 822 of title 10, United States Code (article 22 of the Uniform Code of Military Justice), is amended—

(1) by redesigning paragraphs (8) and (9) as paragraphs (9) and (10), respectively; and

(2) by inserting after paragraph (7) the following new paragraph (8):

“(8) the officers in the offices established pursuant to section 555(c) of the National Defense Authorization Act for Fiscal Year 2017 (as added by section 2(a)(9) of the National Defense Authorization Act for Fiscal Year 2017 and Public Law 114–328), or the Commandant of the Coast Guard, but only with respect to offenses to which section 555(a)(1) of the National Defense Authorization Act for Fiscal Year 2017 applies;”.

(b) NO EXERCISE BY OFFICERS IN CHAIN OF COMMAND OF ACCUSED OR VICTIM.—Such section (as so amended) is further amended at the end of the following new subsection:

“(c) An officer specified in subsection (a)(8) may not convene a court-martial under this section if the officer is related to the victim or the Commandant of the accused or the victim.”.

(c) OFFICERS OF CHIEFS OF STAFF ON COURTS-MARTIAL.

(1) OFFICERS REQUIRED.—Each Chief of Staff of the Armed Forces or Commandant specified in paragraph (8) of section 822(a) of title 10, United States Code (article 22(a) of the Uniform Code of Military Justice), as amended by subsection (a), shall establish an office to perform the duties specified in subsection (a).

(2) PERSONNEL.—Each Chief of Staff of the Armed Forces or Commandant specified in paragraph (8) of section 822(a) of title 10, United States Code (article 22(a) of the Uniform Code of Military Justice), pursuant to section (8) of section 822(a) of title 10, United States Code (article 22(a) of the Uniform Code of Military Justice), as so amended, with respect to offenses to which section 555(a)(1) applies.

(3) To convene a court-martial under this section, an officer in the chain of command of the accused or the victim shall be related to the victim or the Commandant of the accused or the victim.

(4) The personnel of each office established under paragraph (1) shall consist of such members of the Armed Forces and civilian personnel of the Department of Defense, or such members of the Coast Guard as are determined by the head of the Department of Homeland Security, as may be detailed or assigned to the office by the Chief of Staff or
Commandant concerned. The members and personnel so detailed or assigned, as the case may be, shall be detailed or assigned from personnel billets in existence on the date of the enactment of this Act.

SEC. 559. DISCHARGE USING OTHERWISE AUTHORIZED PERSONNEL AND RESOURCES.

(a) In General.—The Secretaries of the military departments and the Secretary of Homeland Security (with respect to the Coast Guard when it is not operating as a service in the Navy) shall carry out sections 557 and 558 using personnel, funds, and resources otherwise authorized by law.

(b) No Authorization of Additional Personnel or Resources.—Sections 557 and 558 shall not be construed as authorizations for personnel, personnel billets, or funds for the discharge of the requirements in such sections.

SEC. 559A. MONITORING AND ASSESSMENT OF MODIFICATION OF AUTHORITIES ON COURTS-MARTIAL BY INDEPENDENT PANEL ON REVIEW AND ASSESSMENT OF PROCEDURES UNDER THE UNIFORM CODE OF MILITARY JUSTICE.

Section 576(d)(2) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–238; 126 Stat. 1782) is amended—

(1) by redesignating subparagraph (J) as subparagraph (K);

(2) by inserting after subparagraph (I) the following new subparagraph (J):

"(J) Monitor and assess the implementation of new authorities for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title II, add the following:

SEC. 221. AUTHORIZATION FOR RESEARCH TO IMPROVE MILITARY VEHICLE TECHNOLOGY TO INCREASE FUEL ECONOMY OR REDUCE FUEL CONSUMPTION OF MILITARY GROUND VEHICLES USED IN COMBAT.

(a) RESEARCH AUTHORIZED.—The Secretary of Defense, acting through the Assistant Secretary of Defense for Research and Engineering and in collaboration with the Secretary of the Army, the Secretary of the Navy, and the Director of the Defense Advanced Research Projects Agency, may carry out research to improve military ground vehicle technology to increase fuel economy or reduce fuel consumption of military ground vehicles used in combat.

(b) PREVIOUS SUCCESSES.—The Secretary of Defense shall ensure that research carried out under this section may take into account the successes of, and lessons learned during, previous Department of Defense, Department of Energy, and private sector efforts to identify, develop, demonstrate, and prototype technologies that support increasing fuel economy or decreasing fuel consumption of military ground vehicles, while balancing survivability, in furtherance of military missions.

SA 4313. Mr. PETERS (for himself, Ms. HIRONO, and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. REPORT ON DEFENSE NUCLEAR NON-PROLIFERATION RESEARCH AND DEVELOPMENT PROJECTS.

(a) Findings.—Congress makes the following findings:

(1) The Joint Comprehensive Plan of Action (JCPOA) provides for the long term non-proliferation of the International Atomic Energy Agency (IAEA) in Iran using modern technologies in Annex I, section N.

(2) The JCPOA allows the IAEA to utilize on-line enrichment measurement and electronic seals as well as other internationally accepted modern technologies for inspection and verification of compliance.

(b) Report.—Not later than 180 days after the date of the enactment of this Act, the Deputy Administrator for Defense Nuclear Nonproliferation shall submit to Congress a report that contains at a minimum the following elements:

(1) A description of ongoing, planned, and anticipated defense nuclear nonproliferation research and development projects and activities.

(2) A strategy for improving arms control agreement verification capabilities, including enhancing the capability and accuracy of nonproliferation verification technologies that comply with the JCPOA.

(c) Joint Comprehensive Plan of Action Directive—The term "Joint Comprehensive Plan of Action" means the Joint Comprehensive Plan of Action signed at Vienna on July 14, 2015.
SEC. 1097. REPORT ON MILITARY TRAINING FOR OPERATIONS IN Densely Populated Urban Terrain.

(a) FINDINGS.—Congress makes the following findings:

(1) Despite years of contingency operations in densely populated urban areas, the United States Armed Forces continue to rely on crude mock-ups of city blocks for urban training.

(2) Current urban training complexes do not offer sufficient capability to train or exercise joint, combined arms or large units in a dense urban landscape of tall buildings and other obstacles inhabited by millions of people.

(b) REPORT.—The military services have identified the training gap, but do not have the resources to fill the gap.

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

At the end of subtitle I of title X, add the following:

SEC. 1227. AUTHORITY TO PROVIDE ASSISTANCE TO INCREASE MARITIME SECURITY AND DOMAIN AWARENESS OF FOREIGN COUNTRIES BORDERING THE PERSIAN GULF, ARABIAN SEA, OR MEDITERRANEAN SEA.

(a) PURPOSE.—The purpose of this section is to authorize assistance and training to increase maritime security and domain awareness of foreign countries bordering the Persian Gulf, the Arabian Sea, or the Mediterranean Sea, to deter and counter illicit smuggling and related maritime activity by Iran, including illicit Iranian weapons shipments.

(b) AUTHORITY.—

(1) IN GENERAL.—To carry out the purpose of this section as described in subsection (a), the Secretary of Defense, with the concurrence of the Secretary of State, is authorized—

(A) to provide training to the national military or other security forces of Israel, Bahrain, Saudi Arabia, the United Arab Emirates, Oman, Kuwait, and Qatar that have among their functional responsibilities maritime security missions, and

(B) to provide training to ministry, agency, and headquarters level organizations for such forces.

(2) DESIGNATION.—The provision of assistance and training under this section may be referred to as the "Counter Iran Maritime Initiative".

(c) TYPES OF TRAINING.—

(1) AUTHORIZED ELEMENTS OF TRAINING.—Training provided under subsection (b) shall include the following:

(A) Observance of and respect for human rights and fundamental freedoms.

(B) Respect for legitimate civilian authority within the country to which the assistance is provided.

(d) AVAILABILITY OF FUNDS.—Of the amounts authorized to be appropriated for fiscal year 2017 by section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301, $50,000,000 shall be available only for the provision of assistance and training under subsection (b).

(e) COST-SHARING AGREEMENT.—The Secretary of Defense, with the concurrence of the Secretary of the Treasury, shall negotiate a cost-sharing agreement with a recipient country regarding the cost of any training provided pursuant to section (b). The agreement shall set forth the terms of cost sharing that the Secretary of Defense determines are necessary and appropriate, but such terms shall not be less than 50 percent of the overall cost of the training.

(f) CREDIT TO APPROPRIATIONS.—The portion of such cost-sharing received by the Secretary of Defense pursuant to this subsection may be credited towards appropriations available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301.

(g) NOTICE TO CONGRESS.—Not later than 15 days before exercising the authority under subsection (b) with respect to a recipient country, the Secretary of Defense shall submit to the appropriate congressional committees a notification containing the following:

(1) An identification of the recipient country.

(2) A detailed justification of the program for the provision of the training concerned, and its relationship to United States security interests.

(3) The budget for the program, including a timetable of planned expenditures of funds to implement the program, an implementation time-line for the program with milestones (including anticipated delivery schedules for any assistance and training under the program), the military department or component responsible for management of the program, the anticipated completion date for the program.

(4) A description of the arrangements, if any, to support recipient country sustainability of any capability developed pursuant to the program, and the source of funds to support sustainment efforts and performance outcomes to be achieved under the program beyond its completion date, if applicable.

(5) A description of the program objectives and an assessment framework to be used to develop capability and performance metrics associated with operational outcomes for the recipient force.

(6) Such other matters as the Secretary considers appropriate.

(h) TERMINATION.—Assistance and training may not be provided under this section after September 30, 2020.
SEC. 709. EXPEDITED EVALUATION AND TREATMENT FOR PRENATAL SURGERY UNDER THE TRICARE PROGRAM.

(a) In General. The Secretary of Defense shall implement processes and procedures to ensure that a covered beneficiary under the TRICARE program whose pregnancy is complicated with a fetal anomaly or suspected of being complicated with a fetal anomaly receives, in an expedited manner and at the discretion of the covered beneficiary, evaluation and treatment from a perinatal or pediatric specialist capable of providing surgical management and intervention in utero.

(b) Definitions. In this section, the term ‘‘covered beneficiary under the TRICARE program’’ means a beneficiary eligible for TRICARE coverage whose pregnancy has been complicated with a fetal anomaly or suspected of being complicated with a fetal anomaly.

SEC. 4317. FUNDING FOR POST-9/11 IMMIGRATION PROTECTIONS.

(a) In General. The Secretary of Defense shall, in consultation with the Attorney General, submit to the congressional defense committees an updated provisional health advisory for the TRICARE program whose pregnancy is complicated with a fetal anomaly or suspected of being complicated with a fetal anomaly.

(b) Definitions. In this section, the term ‘‘TRICARE program’’ means the TRICARE health care program established by section 1072 of title 10, United States Code.

SEC. 4318. SENSE OF CONGRESS ON COMMITMENT TO THE REPUBLIC OF PALAU.

(a) Findings. Congress makes the following findings:

(1) The Republic of Palau is comprised of 303 islands and covers roughly 177 square miles strategically located in the western Pacific Ocean between the Philippines and the United States territory of Guam.

(2) The United States and Palau have forged close security, economic and cultural ties since the United States defeated the armed forces of Imperial Japan in Palau in 1944.

(3) The United States administered Palau as a District of the United Nations Trust Territory of the Pacific Islands from 1947 to 1994.

(b) Sense of Congress. It is the sense of Congress that—

(1) to fulfill the promise and commitment of the United States to its ally, the Republic of Palau, and reaffirm this special relationship and the ability of the United States to defend Palau and, where appropriate, for the EPA with respect to the national security of the United States obligations under the Compact through enacting legislation, including through this Act.

(2) The United States and Palau have entered into a 50-year Compact of Free Association for the independence of Palau and set forth the terms for close and mutually beneficial relations in security, economic, and governmental affairs.

(3) The terms of the Compact grant the United States full authority and responsibility for the security and defense of Palau, including the exclusive right to deny any nation’s military forces access to the territory of Palau except the United States, an important element of our Pacific strategy for defense of the United States homeland, and continues this right to establish and use defense sites in Palau.

(4) In 1994, the United States and Palau entered into a 50-year Compact of Free Association for the independence of Palau and set forth the terms for close and mutually beneficial relations in security, economic, and governmental affairs.

(5) Implementation of the Compact requires the United States financial and program assistance to Palau, and establishing increased post-9/11 immigration protections. However, the United States has not yet approved this Compact Agreement or provided the assistance as called for in the Agreement.

(6) Beginning in 2010 and most recently on February 22, 2016, the Department of the Interior, the Department of State, and the Department of Defense have sent letters to Speaker of the House and the President Pro Tempore of the Senate transmitting the legislation to approve the 2010 United States Palau Agreement including an analysis of the budgetary impact of the legislation.

(7) On February 22, 2016, letter concluded, ‘‘Approving the results of the agreement is important to the national security of the United States, stability in the Western Pacific region, our bilateral relationship with Palau and to the United States’ broader strategic interests in the region.’’

(8) On May 20, 2016, the Department of Defense submitted a letter to the Chairmen and Ranking Members of the congressional defense committees in support of including legislation enacting the agreement in the fiscal year 2017 National Defense Authorization Act and concluded that its inclusion advanced United States national security objectives in the region.

(9) The February 22, 2016, letter concluded, ‘‘Approving the results of the agreement is important to the national security of the United States, stability in the Western Pacific region, our bilateral relationship with Palau and to the United States’ broader strategic interests in the region.’’

(10) On May 20, 2016, the Department of Defense submitted a letter to the Chairmen and Ranking Members of the congressional defense committees in support of including legislation enacting the agreement in the fiscal year 2017 National Defense Authorization Act and concluded that its inclusion advanced United States national security objectives in the region.

(b) Sense of Congress. It is the sense of Congress that—

(1) to fulfill the promise and commitment of the United States to its ally, the Republic of Palau, and reaffirm this special relationship and the ability of the United States to defend Palau and, where appropriate, for the EPA with respect to the national security of the United States obligations under the Compact through enacting legislation, including through this Act.

(2) The United States and Palau have entered into a 50-year Compact of Free Association for the independence of Palau and set forth the terms for close and mutually beneficial relations in security, economic, and governmental affairs.

(3) The terms of the Compact grant the United States full authority and responsibility for the security and defense of Palau, including the exclusive right to deny any nation’s military forces access to the territory of Palau except the United States, an important element of our Pacific strategy for defense of the United States homeland, and continues this right to establish and use defense sites in Palau.

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(3) The terms of the Compact grant the United States full authority and responsibility for the security and defense of Palau, including the exclusive right to deny any nation’s military forces access to the territory of Palau except the United States, an important element of our Pacific strategy for defense of the United States homeland, and continues this right to establish and use defense sites in Palau.

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(3) The terms of the Compact grant the United States full authority and responsibility for the security and defense of Palau, including the exclusive right to deny any nation’s military forces access to the territory of Palau except the United States, an important element of our Pacific strategy for defense of the United States homeland, and continues this right to establish and use defense sites in Palau.
strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Insert after section 536 the following:

SEC. 536A. REVIEW OF DISCHARGE CHARACTERIZATION.

(a) In General.—In accordance with this section and subsection (b) of such paragraph, (1) shall review the discharge characterization of covered members at the request of the covered member; and (2) such characterization is any characterization except honorable, may change such characterization to honorable.

(b) Criteria.—In changing the discharge characterization of a covered member from honorable under subsection (a)(2), the Secretary of Defense shall ensure that such changes are carried out consistently and uniformly across the military departments using the following criteria:

(1) The original discharge must be based on Don’t Ask Don’t Tell (in this Act referred to as “DADT”) or a similar policy in place prior to the enactment of DADT.

(2) Such discharge characterization shall be so changed if, with respect to the original discharge, no aggravating circumstances, such as misconduct, that would have independently led to a discharge characterization that was any characterization except honorable, were present.

(c) Request for Review.—The appropriate discharge board—

(A) shall review the discharge characterization of a covered member to honorable if such change is determined to be appropriate after a review is conducted under subsection (b) pursuant to the criteria under subsection (b). A covered member, or the member’s representative, may apply to the appropriate discharge board for a change of discharge characterization by using the regular procedures of the board.

(2) The term “covered member” means any former member of the Armed Forces who was discharged or released, including “dishonorable”, “general”, “other than honorable”, and “honorable”.

(d) Change of Records.—For each covered member whose discharge characterization is changed under subsection (e), or for each covered member whose discharge characterization is changed but whose DD-214 form reflects the sexual orientation of the member, the Secretary of Defense shall submit to Congress a report, on United States security and foreign policy interests, and the status of the obligations of the United States and the Freely Associated States under the Compacts of Free Association.

(e) Definitions.—In this section:

(1) The term “Don’t Ask Don’t Tell” means section 654 of title 10, United States Code, as in effect before such section was repealed pursuant to the Don’t Ask Don’t Tell Repeal Act of 2010 (Public Law 111–321).

(2) The term “report” means an annual report for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title XII, add the following:

SEC. 1247. COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON UNITED STATES INTERESTS IN THE FREELY ASSOCIATED STATES.

(a) Report Required.—Not later than December 1, 2017, the Comptroller General of the United States shall submit to the congressional defense committees a report setting forth the results of a study, conducted by the Comptroller General for purposes of the report, on United States security and foreign policy interests in the Freely Associated States of the Republic of Palau, the Republic of the Marshall Islands, and the Federated States of Micronesia.

(b) Elements.—The study required pursuant to subsection (a) shall address the following:

(1) The role of the Compacts of Free Association in promoting United States defense and foreign policy interests, and the status of the obligations of the United States and the Freely Associated States under the Compacts of Free Association.

(2) The economic assistance practices of the People’s Republic of China in the Freely Associated States, and the implications of such practices for United States defense and foreign policy interests in the Freely Associated States and the Pacific region.

(c) Consultation.—The Comptroller General shall consult in the preparation of the
report with other departments and agencies of the United States Government, including elements of the intelligence community.

(d) Form.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SA 4322. Mr. Tester submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle P of title V, add the following:

SEC. 863. CBO REPORT ON IMPACT AID CONSTRUCTION PROGRAMS.

(a) In General.—The Comptroller General of the United States shall conduct a comprehensive study that—

(1) examines the implementation of section 8007 of the Elementary and Secondary Education Act of 1965 (as in effect for fiscal year 2016 and any preceding fiscal year, and as in effect for such fiscal year) and section 7007 of that Act (as in effect for fiscal years 2017 and 2018, and as in effect for such fiscal year), including a comparison of—

(A) the distribution of payments between subparagraphs (A) and (B) of subsection (a)(3) of those sections, as applicable, for the period of the 10 fiscal years preceding the fiscal year of the study;

(B) other Federal funding made available to local educational agencies eligible to receive funding under subsection (a)(3) of those sections; and

(C) the overall level of available capital funding of local educational agencies eligible to receive funding under subsection (a)(3) of those sections compared to other comparable local educational agencies;

(2) evaluates unmet need as of the date of enactment of this section for housing of professionals employed to work at schools operated by local educational agencies eligible to receive funding under section 7007 of the Elementary and Secondary Education Act of 1965 (as in effect for fiscal year 2017);

(3) to the extent practicable, determines the age, condition, and remaining utility of school facilities for those local educational agencies; and

(4) recommends a method by which the Federal Government may develop a school facility condition index for a school facility of a local educational agency eligible to receive funding under section 7007(a)(3) of that Act (as in effect for fiscal year 2017) that are eligible to receive a basic support payment under—

(A) section 7005(b) of that Act (for any of fiscal years 2009 through 2016, and as in effect for such fiscal year); and

(B) section 7007(b) of that Act (for any of fiscal years 2009 through 2018, and as in effect for such fiscal year); and

(5) recommends a method by which the Federal Government may develop a school capacity condition index for a school facility of a local educational agency eligible to receive funding under section 7007(a)(3) of that Act (as in effect for fiscal year 2017) that limits the reporting burden to the maximum extent practicable on the eligible local educational agencies included in the index.

(b) Reporting.—The Comptroller General shall submit the report required under the provisions of the study under subsection (a) to—

(1) the Committees on Indian Affairs, Armed Services, and Health, Education, Labor, and Pensions of the Senate; and

(2) the Subcommittee on Indian, Insular, and Alaska Native Affairs and the Committees on Education and the Workforce and Armed Services of the House of Representatives.

(c) Timeframe.—The Comptroller General shall complete the study under subsection (a) and submit the report under subsection (b) by the date that is not later than 18 months after the date of enactment of this Act.

(d) Definition of School Facility.—In this section, the term "school facility" has the meaning given in section 7005 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7173a), as in effect for fiscal year 2017.

SA 4323. Ms. Collins submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for educational activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle P of title V, add the following:

SEC. 864. GENERAL PROVISIONS.

(a) In General.—The Secretary shall submit a report containing the conclusions and recommendations of the study required under this section, and shall carry out a 5-year pilot program to improve the ability of the Armed Forces to meet the educational needs of military children to the maximum extent in effect for fiscal year 2017.

(b) Scope of Program.—

(1) In General.—The Secretary shall choose military installations that where eligible military students would most benefit from expanded educational options.

(2) Eligibility.—A military installation that provides, on its premises, education for all elementary school and secondary school grades for military personnel dependents' schools shall not be eligible for participation in the program.

(c) Amount of Scholarships.—The Secretary shall award to each military student under this section a scholarship for each year of the program.

(d) Program Authorized.—

(A) In General.—From amounts made available under paragraph (7) and beginning for the first full school year following the date of enactment of this Act, the Secretary shall carry out a 5-year pilot program to award scholarships to eligible military students attending public or private elementary schools or secondary schools selected by the eligible military students' parents.

(B) Scope of Program.—

(i) In General.—The Secretary shall select not less than 5 military installations to participate in the pilot program described in subparagraph (A). In making such selection, the Secretary shall choose military installations that where eligible military students would most benefit from expanded educational options.

(ii) Ineligibility.—A military installation that provides, on its premises, education for all elementary school and secondary school grades for military personnel dependents' schools shall not be eligible for participation in the program.

(C) Amount of Scholarships.—The Secretary shall award to each military student under this section for each full school year following the date of enactment of this Act, or

(D) Program Authorized.—

(i) In General.—The Secretary shall make awards to military students attending public or private elementary school or secondary school.

(ii) Ineligibility.—A military installation that provides, on its premises, education for all elementary school and secondary school grades for military personnel dependents' schools shall not be eligible for participation in the program.

(iii) Amount of Scholarships.—The Secretary shall award to each military student under this section for each full school year following the date of enactment of this Act, or

(E) Program Authorized.—The term "Secretary" means the Secretary of Defense.

(F) Program Authorized.—

(A) In General.—From amounts made available under paragraph (7) and beginning for the first full school year following the date of enactment of this Act, the Secretary shall carry out a 5-year pilot program to award scholarships to eligible military students attending public or private elementary schools or secondary schools selected by the eligible military students' parents.

(B) Scope of Program.—

(i) In General.—The Secretary shall select not less than 5 military installations to participate in the pilot program described in subparagraph (A). In making such selection, the Secretary shall choose military installations that where eligible military students would most benefit from expanded educational options.

(ii) Ineligibility.—A military installation that provides, on its premises, education for all elementary school and secondary school grades for military personnel dependents' schools shall not be eligible for participation in the program.

(iii) Amount of Scholarships.—The Secretary shall award to each military student under this section for each full school year following the date of enactment of this Act, or

(iv) Program Authorized.—The term "Secretary" means the Secretary of Defense.

(F) Program Authorized.—

(A) In General.—From amounts made available under paragraph (7) and beginning for the first full school year following the date of enactment of this Act, the Secretary shall carry out a 5-year pilot program to award scholarships to eligible military students attending public or private elementary schools or secondary schools selected by the eligible military students' parents.

(B) Scope of Program.—

(i) In General.—The Secretary shall select not less than 5 military installations to participate in the pilot program described in subparagraph (A). In making such selection, the Secretary shall choose military installations that where eligible military students would most benefit from expanded educational options.

(ii) Ineligibility.—A military installation that provides, on its premises, education for all elementary school and secondary school grades for military personnel dependents' schools shall not be eligible for participation in the program.

(iii) Amount of Scholarships.—The Secretary shall award to each military student under this section for each full school year following the date of enactment of this Act, or

(iv) Program Authorized.—The term "Secretary" means the Secretary of Defense.

(F) Program Authorized.—

(A) In General.—From amounts made available under paragraph (7) and beginning for the first full school year following the date of enactment of this Act, the Secretary shall carry out a 5-year pilot program to award scholarships to eligible military students attending public or private elementary schools or secondary schools selected by the eligible military students' parents.

(B) Scope of Program.—

(i) In General.—The Secretary shall select not less than 5 military installations to participate in the pilot program described in subparagraph (A). In making such selection, the Secretary shall choose military installations that where eligible military students would most benefit from expanded educational options.

(ii) Ineligibility.—A military installation that provides, on its premises, education for all elementary school and secondary school grades for military personnel dependents' schools shall not be eligible for participation in the program.

(iii) Amount of Scholarships.—The Secretary shall award to each military student under this section for each full school year following the date of enactment of this Act, or

(iv) Program Authorized.—The term "Secretary" means the Secretary of Defense.

(F) Program Authorized.—

(A) In General.—From amounts made available under paragraph (7) and beginning for the first full school year following the date of enactment of this Act, the Secretary shall carry out a 5-year pilot program to award scholarships to eligible military students attending public or private elementary schools or secondary schools selected by the eligible military students' parents.

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(i) In General.—The Secretary shall select not less than 5 military installations to participate in the pilot program described in subparagraph (A). In making such selection, the Secretary shall choose military installations that where eligible military students would most benefit from expanded educational options.

(ii) Ineligibility.—A military installation that provides, on its premises, education for all elementary school and secondary school grades for military personnel dependents' schools shall not be eligible for participation in the program.

(iii) Amount of Scholarships.—The Secretary shall award to each military student under this section for each full school year following the date of enactment of this Act, or

(iv) Program Authorized.—The term "Secretary" means the Secretary of Defense.

(F) Program Authorized.—

(A) In General.—From amounts made available under paragraph (7) and beginning for the first full school year following the date of enactment of this Act, the Secretary shall carry out a 5-year pilot program to award scholarships to eligible military students attending public or private elementary schools or secondary schools selected by the eligible military students' parents.

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(i) In General.—The Secretary shall select not less than 5 military installations to participate in the pilot program described in subparagraph (A). In making such selection, the Secretary shall choose military installations that where eligible military students would most benefit from expanded educational options.

(ii) Ineligibility.—A military installation that provides, on its premises, education for all elementary school and secondary school grades for military personnel dependents' schools shall not be eligible for participation in the program.

(iii) Amount of Scholarships.—The Secretary shall award to each military student under this section for each full school year following the date of enactment of this Act, or

(iv) Program Authorized.—The term "Secretary" means the Secretary of Defense.
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(1) graduates from secondary school or elects to no longer participate in the program;
(II) exceeds the maximum age for which the States in which the student lives provides a free public education;
and
(III) is no longer an eligible military student.

(ii) any private participating school to remove religious art, icons, scriptures, or other symbols; or
(iii) preclude any private participating school from using the name, selecting its board members on a religious basis, or including religious references in its mission statements and other chartering or governing documents.

(6) Reports.—

(A) Annual reports.—Not later than July 30 of the year following the year of the date of enactment or subsequent each fiscal year through the year in which the final report is submitted under subparagraph (B), the Secretary shall prepare and submit to Congress a report on the scholarships awarded under the pilot program during that section that includes the content described in subparagraph (C) for the applicable school year of the report.

(B) final report.—Not later than 90 days after the end of the pilot program under this section, the Secretary shall prepare and submit to Congress a report on the scholarships awarded under the program that includes the content described in subparagraph (C) for each school year of the program.

(C) Content of report.—The report required under subparagraph (A) shall contain:

(i) the number of applicants for scholarships under this section;

(ii) the number, and the average dollar amount, of scholarships awarded;

(iii) the number of participating schools;

(iv) the number of elementary school students receiving scholarships under this section and the number of secondary school students receiving such scholarships; and

(v) the results of a survey, conducted by the Secretary, regarding parental satisfaction with the scholarship program under this section.

(7) Authorization of Appropriations.—There are authorized to be appropriated to carry out this section $10,000,000 for each of fiscal years 2017 through 2021.

(B) Offset in Department of Education Salaries.—Notwithstanding any other provision of law, for fiscal year 2017 and each of the 4 succeeding fiscal years, the Secretary of Education shall return to the Treasury $10,000,000 of the amounts made available to the Secretary for salaries and expenses of the Department of Education for such year.

SA 4325. Mr. KIRK submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title X, add the following:

SEC. 1031. ADDITIONAL REPORTS ON TRANSFER OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO FOREIGN COUNTRIES.

(a) Report Required Upon Transfer.—

(1) Report.—Upon the transfer of an individual detained at Guantanamo to a foreign country, the Secretary of Defense shall submit to the appropriate committees of Congress a report on any written or unwritten agreement or memorandum of understanding described in subsection (a).

(2) Elements.—The report on an individual under paragraph (1) shall set forth the following:

(A) The prospective status of the individual after transfer to the country concerned;

(B) The capacity of the country to securely detain or monitor the individual, or both.

(C) The actions the Department shall take to mitigate the risk of recidivism by the individual.

(D) An assessment of the security environment in the country.

(E) A list of individuals detained at Guantanamo previously transferred to the country, if any, and the current known status of each individual.

(F) A plan to periodically assess the status of the individual and the compliance of the country with any written or unwritten agreement or memorandum of understanding described in subsection (a).

(G) An assessment of security cooperation between the United States and the country, and a description of any security assistance provided to the country—

(i) in connection with the transfer; and

(ii) during the two-year period ending on the date of the report.

(H) Any other incentives provided by the United States Government to the country in connection with the transfer of the individual.

(b) Reports Required After Transfer.—

(1) In General.—The Secretary shall submit to the appropriate committees of Congress within 30 days of signature of any written or unwritten agreement or memorandum of understanding between the United States Government and the government of such country regarding the transfer of the individual.

(2) Frequency.—A report shall be submitted under paragraph (1) on an individual as follows:

(A) Not later than six months after transfer;

(B) Not later than one year after transfer;

(C) Not later than annually thereafter.

(c) Construction With Other Reporting Requirements.—The report required under this section in connection with the transfer of an individual detained at Guantanamo are in addition to any other reports required in connection with the transfer of the individual under any other provision of law.

(d) Publication.—Each report under this section, shall be published in the Federal Register in unclassified form.

(e) Definitions.—In this section:

(1) The term ‘‘appropriate committees of Congress’’ means—

(A) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) The term ‘‘individual detained at Guantanamo’’ means any individual located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—

(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(B) is—

(i) in the custody or under the control of the Department of Defense; or
SEC. 1032. REPORT ON INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, WHOSE STATUS WAS REVISED AFTER 2010 FINAL REPORT OF THE GUANTANAMO REVIEW TASK FORCE.

(a) REPORT REQUIRED.—Not later than 60 days after the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a report on the individuals detained at United States Naval Station, Guantanamo Bay, Cuba, whose status was revised after the January 22, 2010, Final Report of the Guantanamo Review Task Force.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) Name and number of each individual detained at Guantanamo whose status was revised after the January 22, 2010, Final Report of the Guantanamo Review Task Force.

(2) An explanation for the revision in status of each such individual.

(3) The name of each individual detained at Guantanamo who was designated in the Final Report of the Guantanamo Review Task Force as having dangerous tendencies that had the status revised and was subsequently transferred from United States Naval Station, Guantanamo Bay, Cuba.

(4) The date on which each individual covered by paragraph (3) was transferred.

(5) The current status of each individual covered by paragraph (3).

(c) DEFINITIONS.—In this section:

(1) The term ‘‘appropriate committees of Congress’’ means—

(A) the Committee on Armed Services, the Senate Appropriations Committee, and the Senate Select Committee on Intelligence; and

(B) the Committee on Armed Services, the House Appropriations Committee, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) The term ‘‘individual detained at Guantanamo’’ means any individual located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—

(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(B) is—

(i) in the custody or under the control of the Department of Defense; or

(ii) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.}

SA 4326. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XII, add the following:

SEC. 1227. LIMITATION ON USE OF FUNDS TO PROCURE GOODS OR SERVICES FROM PERSONS THAT ENGAGE IN SIGNIFICANT TRANSACTIONS WITH CERTAIN IRANIAN PERSONS.

(a) LIMITATION.—No funds authorized to be appropriated for the Department of Defense for fiscal year 2017 may be used to procure, or enter into any contract for the procurement of, any goods or services from any person that knowingly engages in a significant transaction or transactions with a covered Iranian person during such fiscal year.

(b) CERTIFICATION.—The Federal Acquisition Regulation shall be revised to require a certification from each person that is a prospective contractor that such person does not engage in a transaction described in subsection (a). Such revision shall apply with respect to contracts in an amount greater than the simplified acquisition threshold (as defined in section 134 of title 41, United States Code) for which solicitations are issued on or after the date that is 90 days after the date of the enactment of this Act.

(c) WAIVER.—The Secretary of Defense, in consultation with the Secretary of State and the Secretary of the Treasury, may, on a case-by-case basis, waive the limitation in subsection (a) with respect to a person if the Secretary of Defense, in consultation with the Secretary of State and the Secretary of the Treasury—

(1) determines that the waiver is important to the national security interest of the United States; and

(2) not less than 30 days before the date on which the waiver is to take effect, submits to the appropriate committees of Congress—

(A) a notification of, and detailed justification for, the transaction or transactions with a covered Iranian person; and

(B) a certification that—

(i) the person to which the waiver is to apply is no longer engaging in transactions described in paragraph (3); (ii) any transaction described in paragraph (3)(B)—

(I) is included on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury with respect to property of which are blocked pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), for acting on behalf of, or at the direction of, or being owned or controlled by, the Government of Iran; (II) is included on the list of persons identified as blocked solely pursuant to Executive Order 13599; or

(III) in the case of an Iranian person described in paragraph (3)(B)—

(i) is owned, directly or indirectly, by—

(I) Iran’s Revolutionary Guard Corps, or any agent or affiliate thereof; or

(II) one or more other Iranian persons that are included on the list of specially designated nationals and blocked persons as described in subparagraph (A) if such Iranian persons collectively own a 25 percent or greater interest in the Iranian person; or

(ii) the personal property of which is owned, directly or indirectly, by Iran’s Revolutionary Guard Corps, or any agent or affiliate thereof, or by one or more other Iranian persons described in subparagraph (A); and

(III) PERSON.—The term ‘‘Iranian person’’ means—

(A) an individual who is a national of Iran; or

(B) an entity that is organized under the laws of Iran or otherwise subject to the jurisdiction of the Government of Iran.

(4) KNOWINGLY.—The term ‘‘knowingly’’ shall be determined, for the purposes of this section, in accordance with section 561.314 of title 31, Code of Federal Regulations, as such section 561.314 was in effect on January 1, 2016.

(5) PERSON.—The term ‘‘person’’ means the individual or the entity referenced in subsection (a) with respect to a transaction or transactions with a covered Iranian person.

(d) CERTIFICATION.—The Secretary of the Treasury shall certify to the appropriate committees of Congress a report on the security of the Safety Measurement System.

SEC. 1097. VEHICLE INSPECTIONS.

(a) IN GENERAL.—As an interim safety measure, the Transportation Protection Service of the Department of Defense shall ensure that all commercial transportation service providers transporting explosives or other hazardous materials have a vehicle out-of-service percentage rate of not more than 10 percent, as determined by the Federal Motor Carrier Safety Administration, until the Department of Transportation concludes its current study to determine fair and accurate scoring methodology for the Safety Measurement System.

(b) COMPLIANCE.—The Transportation Protective Service may give a provider that exceeds the allowable vehicle out-of-service percentage rate under subsection (a) up to 90 days to bring such rate in compliance with this section, in accordance with section 561.404 of title 31, Code of Federal Regulations, as such section 561.404 was in effect on January 1, 2016.

SA 4327. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title XII, add the following:

SEC. 1266. REPORT ON SECURITY COOPERATION PROGRAMS AND ACTIVITIES OF THE DEPARTMENT OF DEFENSE INTENDED TO BUILD PARTNER CAPABILITY OF FOREIGN COUNTRIES.

(a) REPORT REQUIREMENTS.—The Secretary of Defense shall submit to the appropriate committees of Congress a report on the security cooperation programs and activities of the Department of Defense that are intended to build partner capacity of foreign countries.

(b) ELEMENTS.—The report under subsection (a) shall include—

(1) an identification of each current security cooperation program or activity of the
Department of Defense that is intended to build partner capacity of a foreign country.

(2) A description of the manner in which each program and activity identified pursuant to paragraph (1) is intended to build partner capacity of a foreign country.

(3) An assessment whether the programs and activities identified pursuant to paragraph (1) contribute to the accomplishment of strategic-level objectives.

(c) Assessment.—In preparing the assessment of a program or activity required pursuant to subsection (b)(3), the Secretary shall do a comparative analysis of the short-term, medium-term, and long-term effectiveness of such program or activity from the perspective of the United States Government and from the perspective of the government of the country concerned.

(d) Definitions.—In this section, the terms appropriate committees of Congress and security cooperation programs and activities of the Department of Defense have the meaning given those terms in section 302 of title 10, United States Code, as added by section 1099B(a).

SA 4329. Mr. UDALL (for himself and Mr. HINCHINCH) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Secretary of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subsection (d) of section 876, add the following:

(g) Buffer Zones.—(3) the use or establishment of military aircraft, aircrews, communication equipment, or aircrews over the wilderness areas, including military overflights that can be seen or heard within the wilderness areas; (2) the designation of new units of special airway areas, including military overflights over the wilderness areas; and (3) the use or establishment of military flight training routes over the wilderness areas.

SA 4330. Mr. UDALL submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

Subtitle J—Organ Mountains-Desert Peaks

SEC. 1099A. DEFINITIONS.

In this subtitle:

(1) Monument.—The term Monument means the Organ Mountains-Desert Peaks National Monument established by Presidential Proclamation 9131 (79 Fed. Reg. 30431).

(2) Secretary.—The term Secretary means the Secretary of the Interior.

(3) State.—The term State means the State of New Mexico.

(4) Wilderness area.—The term Wilderness area means a wilderness area designated by section 1099B(a).

SEC. 1099B. DESIGNATION OP WILDERNESS AREAS.

(a) In General.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness and as components of the National Wilderness Preservation System:

(1) Aden Lava Flow Wilderness.—Certain land administered by the Bureau of Land Management in Doña Ana County comprising approximately 19,197 acres, which shall be known as the ‘Aden Lava Flow Wilderness’.

(2) Broad Canyon Wilderness.—Certain land administered by the Bureau of Land Management in Doña Ana County comprising approximately 19,197 acres, which shall be known as the ‘Broad Canyon Wilderness’.

(3) Cinder Cone Wilderness.—Certain land administered by the Bureau of Land Management in Doña Ana County comprising approximately 19,197 acres, which shall be known as the ‘Cinder Cone Wilderness’.

(4) Organ Mountains Wilderness.—Certain land administered by the Bureau of Land Management in Doña Ana County comprising approximately 19,197 acres, which shall be known as the ‘Organ Mountains Wilderness’.

(5) Potrillo Mountains Wilderness.—Certain land administered by the Bureau of Land Management in Doña Ana County comprising approximately 19,197 acres, which shall be known as the ‘Potrillo Mountains Wilderness’.

(6) Sierra de las Uvas Wilderness.—Certain land administered by the Bureau of Land Management in Doña Ana County comprising approximately 19,197 acres, which shall be known as the ‘Sierra de las Uvas Wilderness’.

(7) Whitetooth Wilderness.—Certain land administered by the Bureau of Land Management in Doña Ana County comprising approximately 19,197 acres, which shall be known as the ‘Whitetooth Wilderness’.

(b) Maps and Legal Descriptions.—(1) General.—In general, the maps and legal descriptions of the wilderness areas referred to in this subsection: (A) the maps shall depict the boundaries of the wilderness areas; and (B) the maps and legal descriptions shall be submitted to Congress.

(2) In General.—The maps and legal descriptions referred to in paragraph (1) shall be submitted in accordance with— (A) the guidelines set forth in Appendix A to the Report of the Committee on Interior and Insular Affairs; or (B) the guidelines set forth in Appendix A to the report of the Committee on Appropriations of the House of Representatives.

(c) Management.—Subject to valid existing rights, the wilderness areas shall be administered by the Secretary:

(1) as components of the National Landscape Conservation System; and

(2) in accordance with— (A) this subtitle; and

(B) the Wilderness Act (16 U.S.C. 1131 et seq.), except that— (i) any reference in the Wilderness Act to the effective date of that Act shall be considered to be a reference to the date of enactment of this Act; and

(ii) any reference in the Wilderness Act to the Secretary of Agriculture shall be considered to be a reference to the Secretary of the Interior.

(d) Incorporation of Acquired Land and Interests in Land.—Any land or interest in land that is within the boundary of a wilderness area that is acquired by the United States shall— (1) become part of the wilderness area within the boundaries of which the land is located; and

(2) be managed in accordance with— (A) the Wilderness Act (16 U.S.C. 1131 et seq.); (B) this subtitle; and

(C) any other applicable laws.

(e) Grazeing.—Grazing of livestock in the wilderness areas, where before the date of enactment of this Act, shall be administered in accordance with— (1) section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)); and

(2) the guidelines set forth in Appendix A to the Report of the Committee on Interior and Insular Affairs to accompany H.R. 2570 of the 101st Congress (H. Rep. 101-405).

(f) Military Overflights.—Nothing in this section restricts or precludes— (1) low-level overflights of military aircraft, aircrews and communication equipment or aircrews over the wilderness areas, including military overflights that can be seen or heard within the wilderness areas; (2) the designation of new units of special airway areas, including military overflights over the wilderness areas; and (3) the use or establishment of military flight training routes over the wilderness areas.

(g) Buffer Zones.—(1) In General.—Nothing in this section creates a protective perimeter or buffer zone around any wilderness area.

(2) Activities Outside Wilderness Areas.—The use of paragliding within areas of the Potrillo Mountains Wilderness designated by subsection (a)(5) in which the use has been established before the date of enactment of this Act, shall be allowed to continue in accordance with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)), subject to any terms and conditions that the Secretary determines to be necessary.

(h) Climatologic Data Collection.—Subject to such terms and conditions as the Secretary may prescribe, nothing in this subtitle precludes the installation and maintenance of hydrologic, meteorological, or climatologic collection devices in wilderness areas if the facilities and access to the facilities are essential to flood warning, flood control, or water reservoir operation activities.

(i) Fish and Wildlife.—Nothing in this subsection affects the jurisdiction of the State with respect to fish and wildlife located on public land in the State, except that the Secretary, after consultation with the New Mexico Department of Game and Fish, may designate zones where, and establish periods during which, no hunting or fishing shall be
permitted for reasons of public safety, administration, or compliance with applicable law.

(k) WITHDRAWALS.—

(1) IN GENERAL.—Subject to valid existing rights, the Federal land within the wilderness areas and any land or interest in land that is administered by the United States in the wilderness areas after the date of enactment of this Act is withdrawn from—

(A) entry, appropriation, or disposal under the public land laws;

(B) location, entry, and patent under the mining laws; and

(C) operation of the mineral leasing, mineral material, and geothermal leasing laws.

(2) PARCEL B.—The approximately 6,500 acres of land generally depicted as “Parcel B” on the map entitled “Organ Mountains Area” and dated April 19, 2016, is withdrawn in accordance with paragraph (1), except that the land is not withdrawn for purposes of the issuance of oil and gas pipeline rights-of-way.

(3) PARCEL C.—The approximately 1,300 acres of land generally depicted as “Parcel C” on the map entitled “Organ Mountains Area” and dated April 19, 2016, is withdrawn in accordance with paragraph (1), except that the land is not withdrawn from disposal under section 14, 43 U.S.C. (commonly known as the “Recreation and Public Purposes Act”) (43 U.S.C. 869 et seq.).

(4) PARCEL D.—

(A) FROM MILITARY.—The Secretary of the Army shall allow for the conduct of certain recreational activities on the approximately 2,050 acres of land generally depicted as “Parcel D” on the map entitled “Organ Mountains Area” and dated April 19, 2016 (referred to in this paragraph as the “ parcel”), which is a portion of the public land withdrawn and reserved for military purposes by Public Land Order 833 dated May 21, 1952 (17 Fed. Reg. 4822).

(B) OUTDOOR RECREATION PLAN.—

(i) IN GENERAL.—The Secretary of the Army shall develop a plan for public outdoor recreation on the parcel that is consistent with the primary military mission of the parcel.

(ii) REQUIREMENT.—In developing the plan under clause (i), the Secretary of the Army shall, to the maximum extent practicable, that outdoor recreation activities may be conducted on the parcel, including, hunting, hiking, wildlife viewing, and camping.

(C) CLOSURES.—The Secretary of the Army may close the parcel or any portion of the parcel to the public as the Secretary of the Army determines to be necessary to protect—

(i) public safety; or

(ii) the safety of the military members training on the parcel.

(D) TRANSFER OF ADMINISTRATIVE JURISDICTION; WITHDRAWAL.—

(i) IN GENERAL.—On a determination by the Secretary of the Army that military training capabilities, personnel safety, and installation security would not be hindered as a result of the transfer to the Secretary of administration over the parcel, the Secretary of the Army shall transfer to the Secretary administrative jurisdiction over the parcel.

(ii) TRANSFER.—On transfer of the parcel under clause (i), the parcel shall be—

(I) under the jurisdiction of the Director of the Bureau of Land Management; and

(II) subject to—

(aa) entry, appropriation, or disposal under the public land laws;

(bb) location, entry, and patent under the mining laws; and

(cc) operation of the mineral leasing, mineral material, and geothermal leasing laws.

(3) RESERVATION.—On transfer under clause (i), the parcel shall be reserved for management of the resources of, and military training conducted on, the parcel in accordance with the memorandum entered into under subparagraph (B).

(E) MEMORANDUM OF UNDERSTANDING RELATING TO MILITARY TRAINING.—

(i) IN GENERAL.—If, after the transfer of the parcel under subparagraph (D)(i), the Secretary of the Army requests that the Secretary enter into a memorandum of understanding, the Secretary shall enter into a memorandum of understanding with the Secretary of the Army providing for the conduct of military training on the parcel.

(ii) REQUIREMENTS.—The memorandum of understanding entered into under clause (i) shall—

(I) address the location, frequency, and type of training activities to be conducted on the parcel;

(II) provide to the Secretary of the Army access to the parcel for the conduct of military training;

(III) authorize the Secretary or the Secretary of the Army to close the parcel and any portion of the parcel to the public as the Secretary or the Secretary of the Army determines to be necessary to protect—

(aa) public safety; or

(bb) the safety of the military members training; and

(IV) provide to the maximum extent practicable, provide for the protection of natural, historic, and cultural resources in the area of the parcel.

(F) MILITARY OVERFLIGHTS.—Nothing in this paragraph restricts or precludes—

(i) low-level overflights of military aircraft over the parcel, including military overflights that can be seen or heard within the parcel;

(ii) the designation of new units of special airspace over the parcel; or

(iii) the use or establishment of military flight training routes over the parcel.

(G) POTENTIAL WILDERNESS AREA.—

(I) ROBLEDOS MOUNTAINS POTENTIAL WILDERNESS AREA.—

(A) IN GENERAL.—Certain land administered by the Bureau of Land Management, comprising approximately 100 acres as generally described on the map entitled “Desert Peaks Complex” and dated April 19, 2016, is designated as a potential wilderness area.

(B) USES.—The Secretary shall permit only such uses on the land described in subparagraph (A) that were permitted on the date of enactment of this Act.

(C) DESIGNATION AS WILDERNESS.—

(i) IN GENERAL.—On the date on which the Secretary publishes in the Federal Register the notice described in clause (ii), the potential wilderness area designated under subparagraph (A) shall be—

(I) designated as wilderness and as a component of the National Wilderness Preservation System; and

(II) incorporated into the Robledos Mountains Wilderness designated by subsection (a)(6).

(ii) NOTICE.—The notice referred to in clause (i) is notice that—

(I) the communications site within the potential wilderness area designated under subparagraph (A) is necessary for law enforcement uses, including border security activities, in accordance with paragraphs (3) and (4), the Secretary shall administer the area described in paragraph (1) in a manner that, to the maximum extent practicable, protects the wilderness character of the area.

(iii) USE OF MOTOR VEHICLES.—The use of motor vehicles, motorized equipment, and mechanical transport shall be prohibited in the area described in paragraph (1) except as necessary for—

(A) the administration of the area (including the conduct of law enforcement and border security activities in the area); and

(B) grazing uses by authorized permittees.

(iv) EFFECT OF SUBSECTION.—Nothing in this subsection precludes the Secretary from allowing within the area described in paragraph (1) the installation and maintenance of communication or surveillance infrastructure necessary for law enforcement or border security activities.

(c) RESTRICTED ROUTE.—The route excluded from the Potrillo Mountains Wilderness identified as “Restricted—Administrative Access” on the map entitled “Potrillo Mountains Complex” and dated April 19, 2016, shall be—

(I) closed to public access; but

(II) available for administrative and law enforcement uses, including border security activities.

SEC. 1099D. ORGAN MOUNTAINS-DEERTAIL PEAKS NATIONAL MONUMENT.

(a) MANAGEMENT PLAN.—In preparing and implementing the management plan for the Monument, the Secretary shall include a watershed health assessment to identify opportunities for watershed restoration.

(b) INCORPORATION OF ACQUIRED STATE TRUST LAND AND INTERESTS IN STATE TRUST LAND.—
(1) In general.—Any land or interest in land that is within the State trust land described in paragraph (2) that is acquired by the United States shall—
(A) be conveyed to the Secretary of the Interior; and
(B) be managed in accordance with—
(i) Presidential Proclamation 9131 (79 Fed. Reg. 30318); and
(ii) other applicable laws.

(2) Description of State trust land.—The State trust land referred to in paragraph (1) is the State trust land in T. 22 S., R. 01 W., New Mexico Principal Meridian and T. 23 S., R. 02 W., New Mexico Principal Meridian.

(c) Land exchanges.—(1) In general.—Subject to paragraphs (3) through (6), the Secretary shall attempt to enter into an agreement to initiate an exchange under section 2201.1 of title 43, Code of Federal Regulations (or successor regulations), with the Commissioner of Public Lands of New Mexico, by the date that is 18 months after the date of enactment of this Act, to provide for a conveyance to the State of all right, title, and interest of the United States in and to Bureau of Land Management land and State trust land to be exchanged under this subsection, the exact acreage and legal description of which shall be determined by surveys approved by the Secretary and the New Mexico State Land Office.

(2) Identification of land for exchange.—The Secretary and the Commissioner of Public Lands of New Mexico shall jointly identify the Bureau of Land Management land and State trust land and eligible for exchange under this subsection, the exact acreage and legal description of which shall be determined by surveys approved by the Secretary and the New Mexico State Land Office.

(3) Applicable law.—A land exchange under paragraph (1) shall be carried out in accordance with section 206 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716).

(4) Conditions.—A land exchange under paragraph (1) shall be subject to—
(A) valid existing rights; and
(B) such terms as the Secretary and the State, in consultation with the Secretary of the Interior, the Director of National Intelligence, and the elements of the intelligence community.

(5) Valuation, appraisals, and equalization.—
(A) In general.—The value of the Bureau of Land Management land and the State trust land to be conveyed in a land exchange under this subsection—
(i) shall be equal, as determined by appraisal in accordance with subparagraph (B); or
(ii) if not equal, shall be equalized in accordance with subparagraph (C).

(B) Appraisals.—
(i) In general.—The Bureau of Land Management land and State trust land to be exchanged under this subsection shall be appraised by a qualified, independent, appraiser that is agreed to by the Secretary and the State.

(ii) Requirements.—An appraisal under clause (i) shall be conducted in accordance with—
(I) the Uniform Appraisal Standards for Federal Land Acquisitions; and
(II) the Uniform Appraisal Standards for Professional Appraisal Practice.

(C) Equalization.—
(i) In general.—If the value of the Bureau of Land Management land and the State trust land to be conveyed in a land exchange under this subsection is not equal, the value may be equalized by—
(I) providing a cash equalization payment to the Secretary or to the State, as appropriate, in accordance with section 206(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(b)); or
(II) reducing the acreage of the Bureau of Land Management land or State trust land to be exchanged, as appropriate.

(d) Cash equalization payments.—Any cash equalization payments received by the Secretary under clause (i)(I) shall be—
(I) deposited in the Federal Land Transaction Account established by section 206(a) of the Federal Land Transaction Facilitation Act (43 U.S.C. 1716a(a)); and
(II) used in accordance with that Act.

(e) Limitation.—No exchange of land shall be conducted under this subsection unless mutually agreed to by the Secretary and the State.

SA 4331. Mr. UDALL (for himself and Mr. LEE) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe defense authorizations and other personnel and national security needs for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 1221, add the following:

SEC. 1221. Limitation on use of funds for lethal arms for the vertted syrian opposition.

(1) Limitation.—Amounts authorized to be appropriated by this Act may not be expended for procuring or transferring lethal arms to the vertted syrian opposition unless the Secretary of Defense certifies in writing, that such arms are not being transferred to individuals or groups who are allied, working with, or otherwise associated with al Qaeda and its affiliates, as defined in section 409 of title 10, United States Code.

(b) Prohibition of transfers.—The President may waive the limitation in paragraph (1) with respect to the transfer of lethal arms if the Secretary determines that the transfer of such arms is in the national security interests of the United States.

SEC. 1222. Authorization for international infrastructure simulation and analysis center.

(a) Establishment.—The international infrastructure simulation and analysis center shall serve as the focal point for—
(1) gathering, analyzing, and disseminating information to the Department of Defense, Secretary of State, the Department of Energy, and the National Security Council for the purposes of—
(A) providing advanced modeling, simulation, and analysis capabilities to analyze critical infrastructure interdependencies, vulnerabilities, and complexities outside the United States;

(b) Purpose.—The International Infrastructure Simulation and Analysis Center shall serve as the focal point for—
(1) gathering, analyzing, and disseminating information to the Department of Defense, Secretary of State, the Department of Energy, and the National Security Council for the purposes of—
(A) providing advanced modeling, simulation, and analysis capabilities to analyze critical infrastructure interdependencies, vulnerabilities, and complexities outside the United States;

SEC. 1232. Mr. UDALL submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe defense authorizations and other personnel and national security needs for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. International infrastructure simulation and analysis center.

(a) Establishment.—The Secretary of Defense shall work in consultation with the Secretary of Energy and the Secretary of State to develop an international infrastructure simulation and analysis center.

(b) Purpose.—The International Infrastructure Simulation and Analysis Center shall serve as the focal point for—
(1) gathering, analyzing, and disseminating information to the Department of Defense, Secretary of State, the Department of Energy, and the National Security Council for the purposes of—
(A) providing comprehensive, multi-disciplinary analyses of critical infrastructure systems and the impacts of infrastructure disruptions across multiple infrastructures sectors outside the United States; and

(c) Use of existing facilities.—The International Infrastructure Simulation and Analysis Center shall utilize existing Department of Defense or Department of Energy facilities.

(d) Capabilities.—The Center should include the following capabilities:
(1) Process-based systems dynamic models.
(2) Mathematical network optimization models.
(3) Physics-based models of existing infrastructure.
(4) High fidelity, agent-based simulations of systems.
(5) Other systems capabilities as deemed necessary by the Secretary of Defense to fulfill the mission needs of the Department of Defense.

SA 4333. Mr. UDALL submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. Research on impact of open burn pits on members of the armed forces and veterans.

(a) Establishment of research network.—

(b) General.—The Secretary of Veterans Affairs shall establish a research network in which public and private entities assist the Secretary in conducting research on—
(1) the impact on the health of members of the Armed Forces and veterans of exposure by such members and veterans to open burn pits in Iraq and Afghanistan; and
(2) the impact on the health of members and veterans of exposure to toxic chemicals that are known or likely to
(B) Research on the impact of exposure of individuals to open burn pits from the following fields:

(i) Environmental medicine.
(ii) Occupational medicine.
(iii) Inhalation toxicology.
(4) Research on the feasibility and advisability of using complementary and alternative medicine to treat members of the Armed Forces and veterans for health conditions arising from exposure to open burn pits.

3. USE OF RESEARCH.—The Secretary shall use research conducted pursuant to this section as follows:

(A) To assist in developing best practices for treatment of health conditions caused by exposure of members of the Armed Forces or veterans to open burn pits.
(B) To assist in determining a disability rating for any veteran filing a claim for benefits under the laws administered by the Secretary based on the exposure of the veteran to an open burn pit while serving as a member of the Armed Forces.

4. AVAILABILITY OF INFORMATION.—(1) In general.—The Secretary shall make available to eligible entities described in paragraph (2) the information contained in the open burn pit registry for purposes of conducting research described in subsection (a)(2).

(2) ELIGIBLE ENTITIES DESCRIBED.—An eligible entity described in this paragraph is any private research institution or medical research center of an institution of higher education that:

(A) is dedicated to the conduct of research on health conditions caused by exposure to air pollutants; and
(B) is licensed and accredited under all applicable Federal, State, and local laws to conduct research described in subsection (a)(2).

5. SUBMITTAL OF RESEARCH.—Any eligible entity that conducts research described in subsection (a)(2) using information from the open burn pit registry shall submit such research to the Secretary for inclusion in the database established under subsection (c).

6. ESTABLISHMENT OF DATABASE.—The Secretary shall publish on an Internet database of all data available to the public all research described in subsection (a)(2) that is submitted to the Secretary pursuant to this subsection for peer review and analysis of such research from the public.

7. PRIVACY.—Any medical or other personal information obtained by the Department under this section or by an entity conducting research under this section shall be protected from disclosure or misuse in accordance with the laws on privacy applicable to such information.

8. DEFINITIONS.—In this section:

(A) Complementary and alternative medicine means—

(i) the term ‘‘complementary and alternative medicine’’ shall have the meaning given that term in regulations the Secretary based on the exposure of the veteran to an open burn pit while serving as a member of the Armed Forces.

(ii) complementary and alternative medicine, or the term ‘‘complementary and alternative medicine’’, shall have the meaning given that term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(iii) the term ‘‘open burn pit’’ means the term ‘‘open burn pit’’ as defined in section 201(c) of the Dignified Burial and Other Veterans’ Benefits Improvement Act of 2012 (Public Law 112-260; 38 U.S.C. 527 note).

(iv) open burn pit registry.—The term ‘‘open burn pit registry’’, established by the Department of Veterans Affairs under section 201(a) of the Dignified Burial and Other Veterans’ Benefits Improvement Act of 2012.

(B) the information contained in the open burn pit registry shall submit such research to the Secretary for inclusion in the database established under subsection (c).

(C) DEFINITIONS.—In this section:

(1) Consumer communication devices.—The term ‘‘consumer communication devices’’ means commodities and software described in section 740.19(b) of title 15, Code of Federal Regulations (or any successor regulation).

(2) person subject to the jurisdiction of the United States means—

(A) any individual, wherever located, who is a citizen or resident of the United States;
(B) any person located in the United States;
(C) any corporation, partnership, association, or other organization organized under the laws of the United States or of any State, territory, possession, or district of the United States; and
(D) any corporation, partnership, association, or other organization, wherever organized or doing business, that is owned or controlled by a person described in subparagraph (A), (B), or (C).

(3) Telecommunications services.—The term ‘‘telecommunications services’’ includes—

(A) data, telephone, telegraph, Internet connectivity, radio, television, news wire feeds, and similar services, regardless of the medium of transmission and including transmission by satellite;
(B) services incident to the exchange of communications over the Internet;
(C) domain name registration services; and
(D) services that are related to consumer communication devices and other telecommunications equipment to install, repair, or replace such devices and equipment.

SEC. 1285. REPEAL OF CERTAIN AUTHORITIES PREVENTING PIRACY AND MARKET REFORM FOR CUBA.

(a) Cuban Democracy Act.—

(B) to provide telecommunications services involving Cuba or persons in Cuba;

(c) DEFINITIONS.—In this section:

(1) to establish facilities to provide telecommunications services connecting Cuba with another country or to provide telecommunications services in Cuba;

(C) services incident to the exchange of telecommunications services involving Cuba or persons in Cuba;

(3) to conduct any transaction incident to the exchange of telecommunications services involving Cuba or persons in Cuba;

(1) to export consumer communication devices and other telecommunications equipment to Cuba;

(1) to conduct any transaction incident to the exchange of telecommunications services involving Cuba or persons in Cuba;

(2) the ability of individuals in Cuba, in particular tourists, to access data through the use of cell phones and the infrastructure that would be needed to bring the capability to access that data to rural and urban population centers in Cuba;

(3) the impact of the telecommunications equipment and telecommunications services provided under this section on advancing the human rights objectives of the United States; and

(4) the impact of the telecommunications equipment and telecommunications services provided under this section on advancing the human rights objectives of the United States; and

(2) to conduct any transaction incident to the exchange of telecommunications services involving Cuba or persons in Cuba;

(4) to conduct any transaction incident to the exchange of telecommunications services involving Cuba or persons in Cuba;

(1) to export consumer communication devices and other telecommunications equipment to Cuba;

(2) to provide telecommunications services involving Cuba or persons in Cuba;

(3) to conduct any transaction incident to the exchange of telecommunications services involving Cuba or persons in Cuba;

(1) to conduct any transaction incident to the exchange of telecommunications services involving Cuba or persons in Cuba;

(2) to conduct any transaction incident to the exchange of telecommunications services involving Cuba or persons in Cuba;

(1) to conduct any transaction incident to the exchange of telecommunications services involving Cuba or persons in Cuba;

(2) to conduct any transaction incident to the exchange of telecommunications services involving Cuba or persons in Cuba;

(3) to conduct any transaction incident to the exchange of telecommunications services involving Cuba or persons in Cuba;

(4) to conduct any transaction incident to the exchange of telecommunications services involving Cuba or persons in Cuba;
SEC. 663. COMMISSARY, EXCHANGE, AND MORALE, WELFARE, AND RECREATION BENEFITS FOR CERTAIN SAME-SEX SURVIVING SPOUSES OF MEMBERS AND FORMER MEMBERS OF THE UNIFORMED SERVICES.

(a) In General.—(1) A qualifying same-sex surviving spouse of a member or former member of the uniformed services is entitled to commissary, exchange, and morale, welfare, and recreation privileges and benefits, and shall be issued a Department of Defense Identification Card for purposes of receipt of such benefits to the same extent, and on the same basis, as the surviving spouse of a retired member of the uniformed services who is not a qualifying same-sex surviving spouse but is entitled to such benefits, and shall be entitled to the same privileges and benefits as a qualifying same-sex surviving spouse under the schedule of ratings of disabilities of the Department of Veterans Affairs.

(b) Qualifying Same-Sex Surviving Spouse.—For purposes of this section, an individual is a qualifying same-sex surviving spouse of a member or former member of the uniformed services if the individual is the same-sex surviving spouse of any member of the uniformed services as follows:

(1) A member who died while on active duty.

(2) A member who was awarded the medal of honor.

(3) A former member who was a veteran of World War II, Korea, or Vietnam.

(4) A retired member.

(c) Documentation.—An individual seeking to be treated as a qualifying same-sex surviving spouse under subsection (a) shall submit to the Secretary of Defense documentation to establish the status of the individual under subsection (b) as the Secretary shall specify for purposes of this section. Such documentation shall include the following:

(1) To establish former marital status, any one of the following:

(A) A marriage certificate.

(B) A certificate of domestic partnership.

(C) A death certificate for the member concerned.

(2) A affidavit by a judge advocate certifying a common-law marriage.

(d) Effect of Certification.—Except as otherwise provided in this section, the provisions of sections 1070 et seq. of title 10, United States Code, shall apply to a member under this section as if the member were a dependent of a member of the uniformed services.

(b) Soliciting an individual to provide contact information to an institution of higher education, including Internet websites established for such purpose and funds paid to the institution for such purpose.

(3) Such other activities as the Secretary of Defense may prescribe, including paying for promotion or sponsorship of education or military-related associations.

(c) Exceptions.—Any activity that is required as a condition of receipt of funds by an institution under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) is specifically authorized under such title, or is otherwise specified by the Secretary of Education, shall not be considered to be a conditioning activity under subsection (b).

(d) Department of Defense Educational Assistance Funds Defined.—In this section, the term ‘Department of Defense educational assistance funds’ means funds provided directly to an institution or to a student attending such institution under any of the following provisions of law:


(2) Section 178a, 2005, or 2007 of such title.

(e) Rule of Construction.—Nothing in this section shall be construed as a limitation on the use by an institution of revenues derived from sources other than Department of Defense educational assistance funds.

(f) Reporting.—As a condition on the receipt of Department of Defense educational assistance funds, each institution of higher education or other party entering into an arrangement with a military-related association, that derives revenues from Department of Defense educational assistance funds shall submit to the Secretary of Defense an annual report that includes the following:

(1) The institution’s expenditures on advertising, marketing, and recruiting.

(2) Efforts to identify and attract prospective students, including paying for displays or promotions at job fairs, military installations, or college recruiting events.

(3) Efforts to identify and attract prospective students, including paying for displays or promotions by using the personal public medium of communication, including paying for displays or promotions at job fairs, military installations, or college recruiting events.

(4) Efforts to identify and attract prospective students, including paying for displays or promotions at job fairs, military installations, or college recruiting events.

(5) Efforts to identify and attract prospective students, including paying for displays or promotions at job fairs, military installations, or college recruiting events.

At the end of subtitle P of title X, add the following:

SEC. 1059. PROHIBITION ON USE BY EDUCATIONAL INSTITUTIONS OF REVENUES DERIVED FROM EDUCATIONAL ASSISTANCE FUNDS ADMINISTERED BY SECRETARY OF DEFENSE FOR ADVERTISING, MARKETING, OR RECRUITING.

(a) In General.—As a condition on the receipt of Department of Defense educational assistance funds, an institution of higher education or other party entering into an arrangement with a military-related association, that derives revenues from Department of Defense educational assistance funds shall submit to the Secretary of Defense an annual report that includes the following:

(1) Adverstising, marketing, and recruiting activities, including paid announcements in newspapers, magazines, radio, television, billboards, electronic media, naming rights, or any other public medium of communication, including paying for displays or promotions at job fairs, military installations, or college recruiting events.

(2) Efforts to identify and attract prospective students, including paying for displays or promotions at job fairs, military installations, or college recruiting events.

(3) Efforts to identify and attract prospective students, including paying for displays or promotions at job fairs, military installations, or college recruiting events.

SEC. 1097. SHORT TITLE.

This subtitle may be cited as the ‘Fair Chance Act’.
(B) COMPLIANCE WITH CIVIL RIGHTS LAWS.—The regulations issued under subparagraph (A) shall—

(i) be consistent with, and in no way supersedes, or limit the application of title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.) or other relevant Federal civil rights laws; and

(ii) ensure that hiring activities conducted pursuant to the regulations are conducted in a manner consistent with relevant Federal civil rights laws.

§2902. Agency policies; complaint procedures

‘The Director of the Office of Personnel Management shall—

(1) develop, implement, and publish a policy to assist agencies in complying with section 9202 and the regulations issued pursuant to such section; and

(2) establish and publish procedures under which an applicant for an appointment to a position in the civil service may submit a complaint, or any other information, relating to compliance by an employee of an agency with section 9202.

§2904. Adverse action

(a) FIRST VIOLATION.—If the Director of the Office of Personnel Management determines, after notice and an opportunity for a hearing on the record, that an employee of an agency has violated section 9202, the Director shall—

(i) issue to the employee a written warning that explains the violation and the additional penalties that may apply for subsequent violations; and

(ii) file such warning in the employee’s official personnel record file.

(b) SUBSEQUENT VIOLATIONS.—If the Director of the Office of Personnel Management determines, after notice and an opportunity for a hearing on the record, that an employee that was subject to subsection (a) has committed a subsequent violation of section 9202, the Director may take the following actions:

(1) For a second violation, suspension of the employee for a period of not more than 7 days.

(2) For a third violation, suspension of the employee for a period of more than 7 days.

(3) For a fourth violation—

(A) suspension of the employee for a period of more than 7 days; and

(B) a civil penalty against the employee in an amount that is not more than $250.

(4) For a fifth violation—

(A) suspension of the employee for a period of more than 7 days; and

(B) a civil penalty against the employee in an amount that is not more than $500.

(5) For any subsequent violation—

(A) suspension of the employee for a period of more than 7 days; and

(B) a civil penalty against the employee in an amount that is not more than $1,000.

§2905. Procedures

(a) APPEALS.—The Director of the Office of Personnel Management shall by rule establish procedures for providing an appeal from any adverse action taken under section 9204 by not later than 30 days after the date of the action.

(b) APPLICABILITY OF OTHER LAWS.—An adverse action taken under section 9204 (including a determination in an appeal from such an action) shall not be subject to—

(1) the procedures under chapter 75; or

(2) except as provided in subsection (a) of this section, the procedures under subchapter I.

§2906. Rules of construction

‘Nothing in this chapter may be construed to—

(1) authorize any officer or employee of an agency to request the disclosure of information described under subparagraphs (B) and (C) of section 9201(h);

(2) create a private right of action for any person; or

(3) prohibit an agency from procuring a consumer report (as defined in section 603 of the Fair Credit Reporting Act (15 U.S.C. 1681a)) furnished by a consumer reporting agency (as defined in such section 603) in accordance with that Act.

(b) REGULATIONS; EFFECTIVE DATE.—

(1) REGULATIONS.—Not later than 1 year after the date of enactment of this Act, the Director of the Office of Personnel Management shall issue such regulations as are necessary to carry out chapter 92 of title 5, United States Code (as added by this subtitle).

(2) EFFECTIVE DATE.—Section 9202 of title 5, United States Code (as added by this subtitle), shall take effect on the date that is 2 years after the date of enactment of this Act.

(c) TECHNICAL AND CONFORMING AMENDMENT.—The table of chapters for part III of title 5, United States Code, is amended by inserting after the item relating to chapter 91 the following:

‘92. Prohibition on criminal history inquiries prior to conditional offer

§ 9201. General

(a) IN GENERAL.—Except as provided in subsection (b) and (c), an employee of an agency may not request, in oral or written form (including through the Declaration for Federal Employment (Office of Personnel Management Optional Form 306), or any similar successor form), including through the USAJOBS Internet Web site or any other electronic means, that an applicant for an appointment to a position in the civil service disclose criminal history record information regarding the applicant before the appointing authority extends a conditional offer to the applicant.

(b) OTHERWISE REQUIRED BY LAW.—The prohibition under subsection (a) shall not apply if an applicant’s application for a position in the civil service includes such information that has been sealed or expunged pursuant to law; or

(c) EXCEPT FOR CERTAIN POSITIONS.—

(1) IN GENERAL.—The prohibition under subsection (a) shall not apply with respect to an applicant for an appointment to a position—

(A) that requires a determination of eligibility described in clause (i), (ii), or (iii) of section 901(b)(1)(A);

(B) as a Federal law enforcement official (as defined in section 115(c) of title 18); or

(C) identified by the Director of the Office of Personnel Management in the regulations issued under paragraph (2).

(2) REGULATIONS.—

(a) Issuance.—The Director of the Office of Personnel Management shall by rule establish regulations identifying additional positions with respect to which the prohibition under subsection (a) shall not apply, giving due consideration to the extent that interaction with minors, access to sensitive information, or managing financial transactions.
the level of compensation provided for a covered employee who is taking unpaid leave under section 202.

(2) Process for obtaining relief.—An application for employment as a covered employee who alleges a violation of subsection (b)(1) may rely on the provisions of title IV (other than sections 404(2), 407, and 408), consistent with regulations issued under subsection (d).

(3) Regulations to implement section.—

‘‘(d) Regulations to Implement Section.—

‘‘(1) In general.—Not later than 18 months after the date of enactment of the Fair Chance to Compete for Jobs Act of 2016, the Board shall, pursuant to section 304, issue regulations under this section.

‘‘(2) Parallel with agency regulations.—

The regulations issued under paragraph (1) shall be the same as substantive regulations issued by the Director of the Personnel Management under section 1098(b)(1) of the Fair Chance to Compete for Jobs Act of 2016 to implement the statutory provisions referred to in subsections (a) through (c) except to the extent that the Board may determine, for good cause shown and stated together with the regulation, that a modification or omission would be more effective for the implementation of the rights and protections under this section.

‘‘(e) Effective date.—Section 1098(a)(1) and subsections (b) and (c) shall take effect on the date on which section 9202 of title 5, United States Code, applies with respect to agencies.

‘‘(f) Clerical amendment.—The table of contents of such Act is amended—

(A) by redesignating the item relating to section 207 as the item relating to section 208; and

(B) by inserting after the item relating to section 206 the following new item:

‘‘Sec. 207. Rights and protections relating to criminal history inquiries.’’

‘‘(g) Application to judicial branch.—

(1) In general.—Section 604 of title 28, United States Code, is amended by adding at the end the following:

‘‘(1) Restrictions on Criminal History Inquiries.—

‘‘(1) Definitions.—In this subsection—

(A) the terms ‘‘criminal history record information’’ have the meanings given those terms in section 9201 of title 5;

(B) the term ‘covered employee’ means an employee in the judicial branch of the United States Government, other than—

(i) any judge or justice who is entitled to hold office during good behavior;

(ii) United States magistrate judge or

(iii) a bankruptcy judge; and

(C) the term ‘‘employing office’’ means any office or entity of the judicial branch of the United States Government that employs covered employees.

‘‘(2) Restriction.—A covered employee may not request that an application for employment as a covered employee disclose criminal history record information if the request would be prohibited under section 9202 of title 5 if made by an employee of an agency.

‘‘(3) Employing office policies; complaint procedure.—The provisions of sections 2903 and 9206 of title 5 shall apply to employing offices and to applicants for employment as covered employees, consistent with regulations issued by the Director to implement this subsection.

‘‘(4) Adverse Action.—

(A) Adverse action.—The Director may take such adverse action with respect to a covered employee who violates paragraph (2) as would apply under section 9202 of title 5 if the violation had been committed by an employee of an agency.

‘‘(B) Appeals.—The Director shall by rule establish procedures providing for an appeal from any adverse action taken under subparagraph (A) by not later than 30 days after the date of the action.

‘‘(C) Applicability of other laws.—Except as provided in subparagraph (B), an adverse action taken under subparagraph (A) (including any appeal from such an action under paragraph (B)) shall not be subject to appeal or judicial review.

(5) Regulations to be issued.—

‘‘(A) In general.—Not later than 18 months after the date of enactment of the Fair Chance to Compete for Jobs Act of 2016, the Director shall issue regulations to implement this section.

‘‘(B) Parallel with agency regulations.—The regulations issued under subparagraph (A) shall be the same as substantive regulations promulgated by the Director of the Office of Personnel Management under section 1098(b)(1) of the Fair Chance to Compete for Jobs Act of 2016 except to the extent that the Director of the Administrative Office of the United States Courts may determine, for good cause shown and stated together with the regulation, that a modification or omission would be more effective for the implementation of the rights and protections under this subsection.

‘‘(6) Effective date.—Paragraphs (1) through (5) shall take effect on the date on which section 9202 of title 5 applies with respect to agencies.’’

SEC. 1099. Prohibition on Criminal History Inquiries by Contractors Prior to Conditional Offer.

(a) Civilian agency contracts.—

(1) In general.—Chapter 47 of title 41, United States Code, is amended by adding at the end the following new section:

‘‘§ 4713. Prohibition on criminal history inquiries by contractors prior to conditional offer

‘‘(1) Limitation on Criminal History Inquiries.—

‘‘(1) In general.—Except as provided in paragraphs (2) and (3), an executive agency—

(A) may not require that an individual or sole proprietor who submits a bid or competitive proposal for a contract to disclose criminal history record information regarding that individual or sole proprietor before determining the apparent awardee; and

(B) shall require, as a condition of receiving payments under such contract that the contractor may not verbally, or through written form, request the disclosure of criminal history record information regarding an applicant for a position related to work under such contract before the contractor extends a conditional offer to the applicant.

‘‘(2) Otherwise required by law.—The prohibition under paragraph (1) does not apply with respect to a contract if consideration of criminal history record information is required for national security purposes, with respect to the position is otherwise required by law.

‘‘(3) Exception for certain positions.—

(A) In general.—The prohibition under paragraph (1) does not apply with respect to—

(i) a contract that requires an individual hired under the contract to access classified information or to have sensitive law enforcement or national security duties; or

(ii) a position that the Administrator of General Services identifies under the regulations issued under subsection (b).

‘‘(B) Regulations.—

(i) Issuance.—Not later than 16 months after the date of enactment of the Fair Chance to Compete for Jobs Act of 2016, the Administrator of General Services, in consultation with the Secretary of Defense, shall issue regulations identifying additional positions with respect to which the prohibition under paragraph (1) shall not apply, giving due consideration to positions that involve access to sensitive information, or managing financial transactions.

‘‘(II) Compliance with civil rights laws.—The regulations issued under clause (i) shall—

(1) be consistent with, and in no way supersedes, restrict, or limit the application of title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.) or other relevant Federal civil rights laws; and

(2) ensure that all hiring activities conducted pursuant to the regulations are conducted in a manner consistent with relevant Federal civil rights laws.

(b) Complaint Procedures.—The Administrator of General Services shall establish and publish procedures under which an applicant for a position with a Federal contractor may submit to the Administrator a complaint, or any other information, relating to compliance by the contractor with subsection (a)(1)(B).

‘‘(c) Action for violations of prohibition on criminal history inquiries.—

(1) First Violation.—If the head of an executive agency determines that a contractor has violated subsection (a)(1)(B), such head shall—

(A) notify the contractor;

(B) provide 30 days after such notification for the contractor to appeal the determination; and

(C) issue a written warning to the contractor that includes a description of the violation and the additional remedies that may apply for subsequent violations.

‘‘(2) Subsequent Violations.—If the head of an executive agency determines that a contractor that was subject to paragraph (1) has committed a subsequent violation of subsection (a)(1)(B), such head shall notify the contractor, shall provide 30 days after such notification for the contractor to appeal the determination, and, in consultation with the relevant Federal agencies, may take actions, depending on the severity of the infraction and the contractor's history of violations, including—

(A) providing written guidance to the contractor that the contractor's ability for contracts requires compliance with this section;

(B) requiring that the contractor respond within 30 days after the contract for which the contractor is taking steps to comply with this section; and

(C) suspending payment under the contract for which the applicant was being considered until the contractor demonstrates compliance with this section.

‘‘(d) Rules of construction.—Nothing in this section may be construed to—

(1) prohibit an executive agency from procuring a consumer report (as defined in section 603 of the Fair Credit Reporting Act (15 U.S.C. 1681a)) furnished by a consumer reporting agency (as defined in such section 603) in accordance with that Act; or

(2) authorize an executive agency to prohibit a contractor, as a condition of receiving a Federal contract and receiving payments under such contract, from procuring a consumer report (as defined in section 603 of the Fair Credit Reporting Act (15 U.S.C. 1681a)) furnished by a consumer reporting agency (as defined in such section 603) in accordance with that Act.

‘‘(e) Definitions.—In this section—

(1) Conditional offer.—The term ‘‘conditional offer’’ means an offer of employment for a position related to work under a contract that is conditioned upon the results of a criminal history inquiry.
(2) CRIMINAL HISTORY RECORD INFORMATION.—The term 'criminal history record information' has the meaning given that term in section 9201 of title 10.

(2) LIMITATION ON CRIMINAL HISTORY INFORMATION.—The disclosure of criminal history record information shall be limited by—

(a) DEFINITION.—Except as provided in paragraphs (2) and (3), the head of an agency may not require that an individual or sole proprietor who submits a bid or competitive proposal for a contract to disclose criminal history record information regarding that individual or sole proprietor prior to determining the apparent awardee; and

(b) REQUIREMENT FOR CONDITIONAL OFFER.—The term 'conditional offer' means an offer of employment to a contractor that the contractor's eligibility for contracts requires compliance with this section;

(c) EXCEPTION FOR CERTAIN POSITIONS.—The prohibition under paragraph (1) does not apply with respect to a position related to work under a contract and receiving payments under such contract that the contractor may not verbally or through written form request the disclosure of criminal history record information regarding an applicant for a position related to work under such contract before such contractor extends a conditional offer to the applicant.

(d) REQUIREMENT TO PROVIDE WRITTEN GUIDANCE.—If the Secretary of Defense determines that a contractor has violated subsection (a)(1)(B), the Secretary shall—

(1) notify the contractor;

(2) provide 30 days after such notification for the contractor to appeal the determination; and

(3) issue a written warning to the contractor that includes a description of the violation and the additional remedies that may apply for subsequent violations.

(3) REQUIREMENT TO PROVIDE WRITTEN GUIDANCE.—If the Secretary of Defense determines that a contractor that was subject to paragraph (1) has committed a subsequent violation of subsection (a)(1)(B), the Secretary shall notify the contractor, shall provide 30 days after such notification for the contractor to appeal the determination, and, in consultation with the relevant Federal agencies, may take action, depending on the severity of the violation and the contractor's history of violations, including—

(a) providing written guidance to the contractor that the contractor's eligibility for contracts requires compliance with this section;

(b) requiring that the contractor respond within 30 days affirming that the contractor is taking steps to comply with this section; and

(c) suspending payment under the contract for which the applicant was being considered until the contractor demonstrates compliance with this section.

(4) RULES OF CONSTRUCTION.—Nothing in this section may be construed to—

(a) prohibit an agency from procuring a consumer report (as defined in section 603 of the Fair Credit Reporting Act (15 U.S.C. 1681a)) furnished by a consumer reporting agency (as defined in such section 603) in accordance with that Act; or

(b) authorize an agency to prohibit a contractor, as a condition of receiving a Federal contract and receiving payments under such contract, from requiring a consumer report (as defined in section 603 of the Fair Credit Reporting Act (15 U.S.C. 1681a)) furnished by a consumer reporting agency (as defined in such section 603) in accordance with that Act.

(5) DEFINITIONS.—In this section:

(a) CRIMINAL HISTORY RECORD INFORMATION.—The term 'criminal history record information' has the meaning given that term in section 9201 of title 10.

(b) EFFECTIVE DATE.—Section 2338(a) of title 10, United States Code, as added by paragraph (1), shall apply with respect to contracts awarded pursuant to solicitations issued after the effective date described in section 1098(b)(2) of this subtitle.

(c) COMPLIANCE WITH CIVIL RIGHTS LAWS.—The regulations issued under clause (i) shall—

(I) be consistent with, and in no way supersede, restrict, or limit the application of title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.) or other relevant Federal civil rights laws;

(II) ensure that all hiring activities conducted pursuant to the regulations are conducted in a manner consistent with relevant Federal civil rights laws;

(III) comply with the provisions of the Voting Rights Act of 1965 (42 U.S.C. 1973 et seq.);

(IV) ensure that all hiring activities conducted pursuant to the regulations are conducted in a manner consistent with relevant Federal civil rights laws; and

(V) require that all hiring activities conducted pursuant to the regulations are conducted in a manner consistent with relevant Federal civil rights laws.

(d) COMPLAINT PROCEDURES.—The Secretary of Defense shall establish and publish procedures under which an applicant for a position with a Department of Defense contractor may submit a complaint, or any other information, relating to compliance by the contractor with this section.

(e) REPORTING REQUIREMENT.—The Secretary of Defense shall—

(1) notify the contractor, as a condition of receiving a Federal contract and receiving payments under such contract, of the violation and the additional remedies that may apply for subsequent violations; and

(2) authorize an agency to prohibit a contractor, as a condition of receiving a Federal contract and receiving payments under such contract, from requiring a consumer report (as defined in section 603 of the Fair Credit Reporting Act (15 U.S.C. 1681a)) furnished by a consumer reporting agency (as defined in such section 603) in accordance with that Act.

(f) DEFINITIONS.—In this section:

(1) CONDITIONAL OFFER.—The term 'conditional offer' means an offer of employment to a contractor that the contractor's eligibility for contracts requires compliance with this section;

(2) SUBSEQUENT VIOLATIONS.—If the Secretary of Defense determines that a contractor has committed a subsequent violation of subsection (a)(1)(B), the Secretary shall notify the contractor, shall provide 30 days after such notification for the contractor to appeal the determination, and, in consultation with the relevant Federal agencies, may take action, depending on the severity of the violation and the contractor's history of violations, including—

(a) providing written guidance to the contractor that the contractor's eligibility for contracts requires compliance with this section;

(b) requiring that the contractor respond within 30 days affirming that the contractor is taking steps to comply with this section; and

(c) suspending payment under the contract for which the applicant was being considered until the contractor demonstrates compliance with this section.

(d) RULES OF CONSTRUCTION.—Nothing in this section may be construed to—

(a) prohibit an agency from procuring a consumer report (as defined in section 603 of the Fair Credit Reporting Act (15 U.S.C. 1681a)) furnished by a consumer reporting agency (as defined in such section 603) in accordance with that Act; or

(b) authorize an agency to prohibit a contractor, as a condition of receiving a Federal contract and receiving payments under such contract, from requiring a consumer report (as defined in section 603 of the Fair Credit Reporting Act (15 U.S.C. 1681a)) furnished by a consumer reporting agency (as defined in such section 603) in accordance with that Act.

(e) DEFINITIONS.—In this section:

(1) CONDITIONAL OFFER.—The term 'conditional offer' means an offer of employment to a contractor that the contractor's eligibility for contracts requires compliance with this section;

(2) CRIMINAL HISTORY RECORD INFORMATION.—The term 'criminal history record information' has the meaning given that term in section 9201 of title 10.

(3) EFFECTIVE DATE.—Section 2338(a) of title 10, United States Code, as added by paragraph (1), shall apply with respect to contracts awarded pursuant to solicitations issued after the effective date described in section 1098(b)(2) of this subtitle.

(4) COMPLIANCE WITH CIVIL RIGHTS LAWS.—The regulations issued under clause (i) shall—

(I) be consistent with, and in no way supersede, restrict, or limit the application of title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.) or other relevant Federal civil rights laws;

(II) ensure that all hiring activities conducted pursuant to the regulations are conducted in a manner consistent with relevant Federal civil rights laws;

(III) comply with the provisions of the Voting Rights Act of 1965 (42 U.S.C. 1973 et seq.);

(IV) ensure that all hiring activities conducted pursuant to the regulations are conducted in a manner consistent with relevant Federal civil rights laws; and

(V) require that all hiring activities conducted pursuant to the regulations are conducted in a manner consistent with relevant Federal civil rights laws.

(d) COMPLAINT PROCEDURES.—The Secretary of Defense shall establish and publish procedures under which an applicant for a position with a Department of Defense contractor may submit a complaint, or any other information, relating to compliance by the contractor with this section.

(e) REPORTING REQUIREMENT.—The Secretary of Defense shall—

(1) notify the contractor, as a condition of receiving a Federal contract and receiving payments under such contract, of the violation and the additional remedies that may apply for subsequent violations; and

(2) authorize an agency to prohibit a contractor, as a condition of receiving a Federal contract and receiving payments under such contract, from requiring a consumer report (as defined in section 603 of the Fair Credit Reporting Act (15 U.S.C. 1681a)) furnished by a consumer reporting agency (as defined in such section 603) in accordance with that Act.
(a) Extension.—The Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note) is amended—

(1) in section 101(p)(2), by striking “3 years” and inserting “6 years”;

(2) in section 225(d)(1), by striking “$10,000,000,000” and inserting “$17,500,000,000”;

(3) in subsection (g)(3) of such section is

agreement in effect under the Social Security Act in Alaska and the United States to a provider of services (as defined in section 101 of such Act) to a veteran when another payment agreement, including standards relating to education, certification, licensure, training, and employment history; and

(B) for the reimbursement of such health care providers for care or services provided under the laws administered by the Secretary, including standards relating to education, certification, licensure, training, and employment history; and

(B) a semicolon;

(ii) in clause (ii), by striking “; and” and inserting “; and”;

(ii) in subsection (g)(1), by striking “furnished under section 101 of such Act during the quarter covered by the report.”;

(e) Emergency Designations.—

(1) Definitions.—The terms ‘emergency designation’ and ‘emergency requirement pursuant to section 623(a) of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 933(g)).’

(2) Designation in Senate.—In the Senate, the amendments made by subsections (a) and (b) are designated as an emergency requirement pursuant to section 623(a) of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 933(g));

(f) Public-Private Partnership.—The term ‘public-private partnership’ means any agreement between the Federal Government and a non-Federal entity to provide services to veterans; and

(g) Underutilized Property.—The term ‘underutilized property’ means a portion or all of real property, including buildings, structures, equipment, or personal property that the Secretary determines is not being used in a manner that maximizes the benefit to the Federal Government; and

(h) provisions of this title are not the headquarters office location for the Federal agency; and

(i) by adding after the following new subparagraph:

(1) in clause (ii), by striking “and”;

(2) in clause (ii), by striking “; and” and inserting “; and”;

(3) in clauses (ii), (iii), and (iv), by striking “; and”;

(4) by adding the following new clause:

(5) in clauses (i) and (ii), by striking “and”;

(6) in clause (i), by striking “eligible veterans described in subsection (b)(2)(E)”;

(7) in subsection (b)(2)(E), by striking “(E)’’.

(iii) by adding the following new subparagraph:

(iv) incorporate the use of value-based reimbursement models to promote the provision of high-quality care to improve health outcomes and the experience of care for veterans; and

(v) be consistent with prompt payment standards required of Federal agencies under chapter 39 of title 31, United States Code.

(b) Reimbursement.—(1) In general.—The Secretary, in consultation with the Administrator of General Services, shall—

(2) maintain data on the use of value-based reimbursement models for the provision of high-quality care to improve health outcomes and the experience of care for veterans; and

(3) be responsible for ensuring that the Secretary provides the data required by this subsection to the Interstate Committee on Prepayment of Hospital Bills.

(c) Definitions.—In this section—

(1)神仙下凡—子虚乌有
the Postmaster General to establish appropriate terms of a lease for each postal property.

"(e) RULE OF CONSTRUCTION.—Nothing in this section exceeds, modifies, or supplants any other Federal law relating to any competitive bidding process governing the leasing of postal property.

"§623. Establishment of a Federal Property Council

"(a) ESTABLISHMENT.—There is established a Federal Property Council.

"(b) Responsibilities.—The purpose of the Council shall be—

"(1) to develop guidance and ensure implementation of an efficient and effective property management strategy;

"(2) to identify opportunities for the Federal Government to better manage property and assets of the Federal Government; and

"(3) to reduce the costs of managing property of the Federal Government, including operations, maintenance, and security associated with Federal property.

"(c) COMPOSITION.—

"(1) IN GENERAL.—The Council shall be composed exclusively of—

"(A) the senior real property officers of each Federal agency and the Postal Service;

"(B) the Deputy Director for Management of the Office of Management and Budget;

"(C) the Controller of the Office of Management and Budget;

"(D) the Administrator; and

"(E) not other full-time or permanent part-time Federal officials or employees, as the Chairperson determines to be necessary.

"(2) CHAIRPERSON.—The Deputy Director for Management of the Office of Management and Budget shall serve as Chairperson of the Council.

"(3) EXECUTIVE DIRECTOR.—

"(A) The Chairperson shall designate an Executive Director to assist in carrying out the duties of the Council.

"(B) QUALIFICATIONS; FULL-TIME.—The Executive Director shall—

"(i) be appointed from among individuals who have substantial experience in the areas of commercial real estate and development, real property management, and Federal operations and management;

"(ii) serve full time; and

"(iii) hold no outside employment that may conflict with duties inherent to the position.

"(d) MEETINGS.—

"(1) IN GENERAL.—The Council shall meet subject to the call of the Chairperson.

"(2) MINIMUM.—The Council shall meet not fewer than 4 times each year.

"(e) DUTIES.—The Council, in consultation with the Director and the Administrator, shall—

"(1) not later than 1 year after the date of enactment of this subchapter, establish a property management plan template, to be updated annually, which shall include performance measures, specific milestones, measured savings, strategies, and Government-wide goals based on the goals established under section 524(a)(7) to reduce surplus property, to achieve better utilization of underutilized property, or to enhance management of high value personal property, and evaluation criteria to determine the effectiveness of property management that are designed exclusively of—

"(A) to enable Congress and Heads of Federal agencies to track progress in the achievement of property management objectives as prescribed by

"(B) to improve the management of real property; and

"(C) to allow for comparison of the performance of Federal agencies against industry and other public sector agencies in terms of performance.

"(2) develop utilization rates consistent throughout each category of space, considering the diverse nature of the Federal portfolio and consistent with nongovernmental space use rates;

"(3) develop a strategy to reduce the reliance of Federal agencies on leased space for long-term needs if ownership would be less costly;

"(4) provide guidance on eliminating inefficiencies in the Federal leasing process;

"(5) compile a list of field offices that are suitable for collocation with other property assets;

"(6) research best practices regarding the use of public-private partnerships to manage property, and develop guidelines for the use of those partnerships in the management of Federal property;

"(7) not later than 1 year after the date of enactment of this subchapter—

"(A) examine the disposal of surplus property through the State Agencies for Surplus Property program; and

"(B) issue a report that includes recommendations on how the program could be improved to ensure accountability and increase efficiencies in the property disposal process; and

"(8) not later than 1 year after the date of enactment of this subchapter and annually during the 4-year period beginning on the date that is 1 year after the date of enactment of this subchapter and ending on the date that is 5 years after the date of enactment of this subchapter, the Council shall submit to the Director a report that contains—

"(A) a list of the remaining excess property or surplus property that is real property, and unutilized properties of each Federal agency;

"(B) the progress of the Council toward developing guidance for Federal agencies to ensure that the property described in section 524(a)(11)(B) is carried out in a uniform manner;

"(C) the progress of Federal agencies toward achieving the goals established under section 524(a)(7); and

"(D) if necessary, recommendations for legislation or regulatory reforms that would further the goals of the Council, including, but not limited to, streamlining the disposal of excess real or personal property or underutilized property.

"(f) CONSULTATION.—In carrying out the duties described in subsection (e), the Council shall also consult with representatives of—

"(1) State, local, tribal authorities, and affected communities; and

"(2) appropriate private sector entities and nongovernmental organizations that have expertise in areas of—

"(A) commercial real estate and development;

"(B) government management and operations;

"(C) space planning;

"(D) community development, including transportation and planning;

"(E) historic preservation;

"(F) providing housing to the homeless population; and

"(G) personal property management.

"(g) COUNCIL RESOURCES.—The Director and the Administrator shall provide, to the fullest extent practicable, and administrative support for the Council, as appropriate.

"(h) ACCESS TO INFORMATION.—The Council shall have access to information generated by the Council in performing the duties of the Council to—

"(1) the Committee on Homeland Security and Governmental Affairs of the Senate;

"(2) the Committee on Environment and Public Works of the Senate;

"(3) the Committee on Oversight and Government Reform of the House of Representatives;

"(4) the Committee on Transportation and Infrastructure of the House of Representatives; and

"(5) the Comptroller General of the United States.

"(i) EXCLUSIONS.—In this section, surplus property shall not include—

"(1) any military installation (as defined in section 2910 of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2677 note; Public Law 101–510));

"(2) any property that is excepted from the definition of the term ‘property’ under section 2902(a) of title 40;

"(3) any and native Eskimo property held in trust by the Federal Government as described in section 3301(a)(8)(C)(i); and

"(4) real property maintained by the United States Postal Service pursuant to section 524(a)(3)(B);

"(5) any real property the Director excludes for reasons of national security;

"(6) any public lands (as defined in section 2021 of title 43, United States Code) that are owned by the United States and administered by—

"(A) the Secretary of the Interior, acting through—

"(i) the Director of the Bureau of Land Management;

"(ii) the Director of the National Park Service; or

"(iii) the Commissioner of Reclamation; or

"(B) the Secretary of Agriculture, acting through the Chief of the Forest Service; or

"(C) any property operated and maintained by the United States Postal Service.

"§624. Inventory and database

"(a) IN GENERAL.—Not later than 1 year after the date of enactment of this subchapter, the Administrator shall establish and maintain a single, comprehensive, and descriptive database of all real property under the custody and control of all Federal agencies.

"(b) CONTENTS.—The database shall include—

"(1) information provided to the Administrator under section 524(a)(11)(B); and

"(2) a list of property disposals completed, including—

"(A) the date and disposal method used for each property;

"(B) the proceeds obtained from the disposal of each property;

"(C) the amount of time required to dispose of the property, including the date on which the property is designated as excess property;

"(D) the date on which the property is designated as surplus property and the date on which the property is disposed; and

"(E) all costs associated with the disposal.

"(c) ACCESSIBILITY.—

"(1) COMMITTEES.—The database established under subsection (a) shall be made available on request to the Committee on Homeland Security and Governmental Affairs and the Committee on Environment and Public Works of the Senate and the Committee on Oversight and Government Reform and the Committee on Transportation and Infrastructure of the House of Representatives.

"(2) GENERAL PUBLIC.—Not later than 5 years after the date of enactment of this subchapter and to the extent consistent with national security, the Administrator shall make the database established under subchapter 524(a)(11)(B) accessible to the public at no cost through the website of the General Services Administration.
SEC. 2954. UNITED STATES POSTAL SERVICE PROPERTY MANAGEMENT.

(a) IN GENERAL.—Chapter 5 of subtitle I of title 40, United States Code, as amended by section 2953, is amended by adding at the end the following:

"Subchapter VII—United States Postal Service Property Management"

§ 641. Definitions.

In this subchapter:

(1) EXCESS PROPERTY.—The term 'excess property' means any postal property that the Postal Service determines is not required to meet the needs or responsibilities of the Postal Service.

(2) POSTAL PROPERTY.—The term 'postal property' means any property owned or leased by, or under control of, the Postal Service.

(3) POSTAL SERVICE.—The term 'Postal Service' means the United States Postal Service.

§ 642. United States Postal Service property management.

The Postal Service—

(1) shall maintain adequate inventory controls and accountability systems for postal property;

(2) shall develop current and future workforce projections so as to have the capacity to address excess property;

(3) may develop a 5-year management template that—

(A) establishes goals and policies that will lead to the reduction of excess property and underutilized property in the inventory of the Postal Service;

(B) adopts workplace practices, configurations, and management techniques that can achieve increased levels of productivity and decrease the need for real property assets;

(C) assesses leased space to identify space that is not fully used or occupied;

(D) develops recommendations on how to address excess capacity at Postal Service facilities without negatively impacting mail delivery;

(E) develops recommendations on ensuring the security of mail processing operations;

(4) shall, on a regular basis—

(A) conduct an inventory of postal property that is real property; and

(B) make an assessment of each property described in subparagraph (A), which shall include—

(i) the age and condition of the property;

(ii) the size of the property in square foot acreage and acreage;

(iii) the geographical location of the property, including an address and description;

(iv) the extent to which the property is being utilized;

(v) the actual annual operating costs associated with the property;

(vi) the total amount of capital expenditures associated with the property;

(vii) the number of postal employees, contract employees, and functions housed at the property;

(viii) the extent to which the mission of the Postal Service is dependent on the property; and

(ix) the estimated amount of capital expenditures projected to maintain and operate the property over each of the next 5 years after the date of enactment of this subchapter.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—The table of sections for chapter 5 of title 40, United States Code, as amended by section 2953, is amended by adding at the end the following:

(1) Table of sections.—The table of sections for chapter 5 of subtitle I of title 40, United States Code, is amended by inserting after the item relating to section 611 the following:

"Sec. 621. Definitions.

Sec. 622. Collocation among United States Postal Service properties.


Sec. 624. Inventory and database.

Sec. 625. Information on certain leasing authorities.

(2) Technical amendment.—Section 102 of title 40, United States Code, is amended in the matter preceding paragraph (1) by striking "'Exhibit' Except as provided in subchapters VII and VIII of chapter 5 of this title, the'".

SEC. 2955. AGENCY RETENTION OF PROCEEDS.

Section 571 of title 40, United States Code, is amended to read as follows:

"§ 571. General rules for deposit and use of proceeds.

(A) PROCEEDS FROM TRANSFER OR SALE OF REAL PROPERTY.—

(1) DEPOSIT OF NET PROCEEDS.—Net proceeds described in subsection (d) shall be deposited into the appropriate account of the agency that had custody and accountability for the property at the time the property is disposed of;

(2) EXPENDITURE OF NET PROCEEDS.—The net proceeds deposited pursuant to paragraph (1) may only be expended as authorized in annual appropriations Acts for—

(A) activities described in sections 543 and 545, including paying costs incurred by the General Services Administration for any disposal-related activity authorized by this title; and

(B) activities pursuant to implementation of the Federal Buildings Personnel Training Act of 2010 (40 U.S.C. 581 note; Public Law 111-308).

(3) DEFICIT REDUCTION.—Any net proceeds described in subsection (d) from the sale, lease, or other disposition of surplus real property that are not expended under paragraph (2) shall be used for deficit reduction.

(B) EFFECT ON OTHER SECTIONS.—Nothing in this section is intended to affect section 572(b), 573, or 574.

(C) DISPOSAL AGENCY FOR REVERTED PROPERTY.—For the purposes of this section, for any property that reverts to the United States under sections 550 and 553, the General Services Administration, as the disposal agency, shall be treated as the agency with custody and accountability for the property at the time the property is determined to be excess.

(D) NET PROCEEDS.—The net proceeds described in this subsection are proceeds under this chapter, less expenses of the transfer or disposition as provided in section 572(a), from—

(A) a transfer of excess real property to a Federal agency for agency use; or

(B) a sale, lease, or other disposition of surplus real property.

(E) PROCEEDS FROM TRANSFER OR SALE OF PERSONAL PROPERTY.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, proceeds described in paragraph (2) shall be deposited in the Treasury as miscellaneous receipts.

(2) PROCEEDS.—The proceeds described in this paragraph are proceeds under this chapter from—

(A) a transfer of excess personal property to a Federal agency for agency use; or

(B) a sale, lease, or other disposition of surplus personal property.

(F) PAYMENT OF EXPENSES OF SALE BEFORE DEPOSIT.—

(1) IN GENERAL.—Subject to regulations under this subtitle, the expenses of the sale may be paid from the proceeds of the sale so that only the net proceeds are deposited in the Treasury.

(2) APPLICATION.—This paragraph applies to proceeds deposited as miscellaneous receipts or to the credit of an appropriation as authorized by law.".
SEC. 2956. INSPECTOR GENERAL REPORT ON UNITED STATES POSTAL SERVICE PROPERTY.

(a) DEFINITION OF EXCESS PROPERTY.—In this section, the term ‘excess property’ has the meaning given the term in section 641 of title 40, United States Code, as added by section 2954.

(b) EXCESS PROPERTY REPORT.—Not later than 2 years after the date of enactment of this Act, the Inspector General of the United States Postal Service shall submit to Congress a report that includes—

(1) a survey of excess property held by the United States Postal Service; and

(2) recommendations for repurposing property identified in paragraph (1)—

(A) to—

(i) reduce excess capacity; and

(ii) increase collocation with other Federal agencies; and

(B) without diminishing the ability of the United States Postal Service to meet the service standards established under section 3691 of title 39, United States Code, as in effect on January 1, 2016.

SEC. 2957. REPORTS ON UNITED STATES POSTAL SERVICE FLEET MODERNIZATION.

(a) GAO REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on—

(1) the feasibility of the United States Postal Service designing mail delivery vehicles that are equipped for diverse geographic conditions such as travel in rural areas and extreme weather conditions; and

(2) the actual cost of the United States Postal Service integrating the use of collision-averting technology into its vehicle fleet.

(b) POSTAL SERVICE REPORT.—Not later than 1 year after the date of enactment of this Act, the United States Postal Service shall submit to Congress a report that includes—

(1) a review of the efforts of the United States Postal Service relating to fleet replacement and modernization; and

(2) a strategy for carrying out the fleet replacement and lifecycle plan of the United States Postal Service.

SEC. 2958. SURPLUS PROPERTY DONATIONS TO MUSEUMS.

Section 549(c)(3)(B) of title 40, United States Code, is amended by striking clause (vii) and inserting the following:

‘‘(vii) a museum open to the public on a regularly scheduled weekly basis, and the hours of operation are, at a minimum, during normal business hours (as determined by the Administrator);’’.  

SEC. 2959. DUTIES OF FEDERAL AGENCIES.

(a) IN GENERAL.—Section 524(a) of title 40, United States Code, is amended—

(1) in paragraph (5), by striking the period at the end and adding the following:

‘‘(vii) a museum open to the public on a regularly scheduled weekly basis, and the hours of operation are, at a minimum, during normal business hours (as determined by the Administrator);’’;

(b) DEFINITION OF EXECUTIVE AGENCY.—Section 524(b) of title 40, United States Code, is amended by adding the following:

‘‘(9) an executive agency of the United States; (10) an agency of an independent establishment; (11) an agency within the definition of the term ‘Federal agency’ in section 621.’’;  

SEC. 2960. ENVIRONMENTAL TESTING AND REMEDIATION AT MILITARY INSTALLATIONS WHERE AQUEOUS FILM FORMING FOAM IS STORED OR USED.

(a) IDENTIFICATION OF POTENTIALLY CONTAMINATED SITES.—The Secretary of Defense shall direct the service secretaries to identify and make publicly available a list of military installations located in the United States where the fire extinguishing agent Aqueous Film Forming Foam was or could have been employed.

(b) TESTING.—The Secretary of Defense shall make available to local water authorities and residents located at or near the military installations identified pursuant to subsection (a) testing of drinking water for the presence of perfluorooctanesulfonic acid (PFOS) and perfluorooctanoic acid (PFOA) above the current Lifetime Health Advisory (LHA) limits.

SEC. 2961. ACTIONS REQUIRED AT LOCATIONS WITH CONTAMINATION FOUND ABOVE LHA LIMITS.—If testing under subsection (b) identifies PFOS and PFOA contamination above LHA limits or around a military installation identified under subsection (a), the Secretary of Defense shall—

(1) notify local residents within 15 days of the test results;  

(2) provide affected individuals with an alternative, uncontaminated drinking water source within 15 days; and

(3) develop and begin implementation of a remediation plan within 45 days of the results, unless such a plan is not technically feasible or is cost-prohibitive, in which case the Secretary may develop and implement a plan to provide a permanent alternative water supply to affected residents; and

(4) provide public status reports on the progress of implementation of the remediation plan every 45 days until remediation is complete.

SA 4341. Mr. CASEY submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, for FY2017, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 1531, add the following:

(c) AVAILABILITY OF FUNDS FOR COUNTERING MOVEMENT OF PRECURSOR MATERIALS.—

(1) IN GENERAL.—Of the funds made available for the Joint Improvised Explosive Device Defeat Fund for fiscal year 2017 by this Act, up to $15,000,000 may be used by the Secretary of Defense to provide assistance in the form of training, funding, and services to ministries and other governmental entities of any country that the Secretary of Defense, with the concurrence of the Secretary of State, determines is critical for countering the movement of precursor materials for improvised explosive devices.

(2) PROVIDING CONGRESSIONAL NOTIFICATION.—Any such assistance shall be for the purpose of countering the movement of such precursor materials.

(3) AUTHORIZATION.—If agreed upon by the Secretary of Defense and the head of another department or agency of the United States, the Secretary may transfer funds available under paragraph (1) to the head of such department or agency for the purpose of such department or agency of the United States where the fire extinguishing agent Aqueous Film Forming Foam was or could have been employed.

(4) SERVICE SECRETARIES.—Any such assistance shall not include services for the purpose of countering the movement of such precursor materials.
military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered reported by the Committee on Energy and Commerce; a conference report was filed; and a motion to pass the bill was ordered. 

At the end of subtitle C of title XXVIII, add the following:

SEC. 2826. RETURN OF CERTAIN LANDS AT FORT WINGATE TO THE ORIGINAL INHABITANTS ACT.

(a) Short Title.—This section may be cited as the “Return of Certain Lands At Fort Wingate To The Original Inhabitants Act”.

(b) Division and Treatment of Lands of Former Fort Wingate Depot Activity for New Mexico, to Benefit the Zuni Tribe and Navajo Nation.

(1) Immediate Trust on Behalf of Zuni Tribe Exception.—Subject to valid existing rights and to easements reserved pursuant to subsection (c), all right, title, and interest of the United States in and to the lands of Former Fort Wingate Depot Activity depicted in dark blue on the map titled “The Fort Wingate Depot Activity Negotiated Property Division April 2016” (in this section referred to “Map”) and transferred to the Secretary of the Interior are to be held in trust by the Secretary of the Interior for the Zuni Tribe, in accordance with this section, unless the Zuni Tribe otherwise elects under clause (ii) of paragraph (3)(C) to have the parcel conveyed to it in Restricted Fee Status.

(2) Immediate Trust on Behalf of the Navajo Nation Exception.—Subject to valid existing rights and to easements reserved pursuant to subsection (c), all right, title, and interest of the United States in and to the lands of Former Fort Wingate Depot Activity depicted in dark green on the Map and transferred to the Secretary of the Interior are to be held in trust by the Secretary of the Interior for the Navajo Nation as part of the Navajo Reservation, unless the Navajo Nation otherwise elects under clause (ii) of paragraph (3)(C) to have the parcel conveyed to it in Restricted Fee Status.

(3) Subsequent Transfer and Trust; Restricted Fee Status.

(A) Transfer Upon Completion of Remediation.—Not later than 60 days after the date on which the Secretary of the Army, with the concurrence of the New Mexico State Government, notifies the Secretary of the Interior that remediation of a parcel of land of Former Fort Wingate Depot Activity has been completed consistent with subsection (d), the Secretary of the Army shall transfer administrative jurisdiction over the parcel to the Secretary of the Interior.

(B) Transfer Upon Completion of Transfer.—Not later than 30 days after the date on which the Secretary of the Army transfers administrative jurisdiction over a parcel of land of Former Fort Wingate Depot Activity under subparagraph (A), the Secretary of the Interior shall notify the Zuni Tribe and Navajo Nation of the transfer of administrative jurisdiction over that parcel.

(C) Trust or Restricted Fee Status.—

(i) Trust.—Except as provided in clause (ii), the Secretary of the Interior shall hold each parcel of Former Fort Wingate Depot Activity transferred under subparagraph (A) in trust.

(ii) Restricted Fee Status.—In lieu of having land held in trust under clause (i), the Zuni Tribe, with respect to land depicted in blue on the Map, and the Navajo Nation, with respect to land depicted in green on the Map, may use the land for any purpose, directly or through agreement with another party, without the consent of Congress; and shall not be subject to any provision of law providing for the review or approval by the Secretary of the Interior before an Indian tribe may use the land for any purpose directly or through agreement with another party.

(4) Survey and Boundary Requirements.

(A) In General.—The Secretary of the Interior shall—

(i) provide for the survey of lands of Former Fort Wingate Depot Activity taken into trust for the Zuni Tribe or the Navajo Nation or conveyed in restricted fee status for the Zuni Tribe or the Navajo Nation under paragraph (1), (2), or (3); and (ii) establish legal boundaries based on the Map as parcels are taken into trust or conveyed in restricted fee status.

(B) Consultation.—Not later than 90 days after the date of the enactment of this section, the Secretary of the Interior shall consult with the Zuni Tribe and the Navajo Nation to determine their priorities regarding the lands which parcels should be surveyed and, to the greatest extent feasible, the Secretary shall follow these priorities.

(5) Relation to Certain Regulations.

(A) General Rule.—For purposes of this section, the Secretary of Defense shall not apply to taking lands of Former Fort Wingate Depot Activity into trust under paragraph (1), (2), or (3).

(B) Fort Wingate Launch Complex For Administrative, Test Operations, and Launch Operations Purposes.—Upon certification by the Secretary of Defense that the area generally depicted as “Fort Wingate Launch Complex” on the Map is no longer required for military purposes and can be transferred to the Secretary of the Interior

(i) the areas generally depicted as “FWLC A” and “FWLC B” shall be held in trust by the Secretary of the Interior for the Zuni Tribe in accordance with this subsection; and

(ii) the areas generally depicted as “FWLC C” and “FWLC D” on the Map shall be held in trust by the Secretary of the Interior for the Zuni Tribe in accordance with this subsection.

(C) Retention of Necessary Easements and Access.—

(1) Rights-of-Way.—Entities operating on the lands described herein shall have the right to use prior easements and/or rights-of-way agreements, shall be granted a one-time 30-year extension of that agreement retroactive to the expiration of the prior agreement at existing compensation rates and standards of the United States for cleanup and remediation of the Zuni Tribe and the Navajo Nation written copies of all access reservations under this subsection.

(D) Shared Access.—

(1) Parcel 1 Shared Cultural and Religious Access.—In the case of the lands of Former Fort Wingate Depot Activity depicted as Parcel 1 on the Map, the lands shall be held in trust subject to the Zuni Tribe and the Secretary of the Interior for cultural and religious purposes only. Both the Zuni Tribe and the Navajo Nation shall have unhindered access to their respective cultural and religious sites within Parcel 1. Within 1 year after the date of the enactment of this section, the Zuni Tribe and the Navajo Nation shall exchange detailed information to document the existence of cultural and religious sites within Parcel 1 for the purpose of carrying out this subpart. The information shall also be provided to the Secretary of the Interior.

(2) Other Shared Access.—Subject to the written consent of both the Zuni Tribe and the Navajo Nation, the Secretary of the Interior shall facilitate access to other lands held in trust or restricted fee status pursuant to subsection (b), including, but not limited to, cultural and religious sites.

(4) I–40 Frontage Road Entrance for Access For the Former Fort Wingate Depot Activity, which originates at the frontage road for Interstate 40 and leads to the parcel of the Former Fort Wingate Depot Activity depicted as “administration area” on the Map, shall be held in common by the Zuni Tribe and Navajo Nation to provide for equal access to Former Fort Wingate Depot Activity.

(5) Compatibility with Defense Activities.—The lands of Former Fort Wingate Depot Activity held in trust or conveyed in restricted fee status pursuant to subsection (b) shall be subject to reservations by the United States as the Secretary of Defense determines are reasonably required to permit access to lands of the Former Fort Wingate Depot Complex for administrative, test operations, and launch operations purposes. The Secretary of Defense shall inform the Governments of the Zuni Tribe and the Navajo Nation written copies of all reservations under this subpart.

(6) Environmental Remediation.—Nothing in this section shall be construed to violate, alter, or affect the responsibility of the United States for cleanup and remediation of Former Fort Wingate Depot

May 26, 2016
Activity in accordance with the Comprehensive Environmental Response, Compensation, and Liability Act of 1980.

**SA 4343. Mr. CARDIN** submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for national security of the United States and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title V of division A, add the following:

**SEC. 565. REPORT ON AVAILABILITY OF COLLEGE CREDIT FOR SKILLS ACQUIRED DURING MILITARY SERVICE.**

Not later than 1 year after the date of enactment of this Act, the Secretary of Defense, in consultation with the Secretaries of Veterans Affairs, Education, and Labor, shall submit to Congress a report on the transfer of skills into equivalent college credit and technical certifications for members of the Armed Forces leaving the military. Such report shall describe each of the following:

1. The ability of service members to receive transfer credit or technical certifications for military experience, including skills acquired during military service or training programs, and the course of performing military duties.

2. An evaluation of those schools that do provide such credit, the type and amount of credit, and whether the number of schools providing such credit could be expanded, and obstacles to such expansion.

3. A listing of civilian career fields best suited for the certifications and training obtained by technically-trained service members during their time in the Armed Forces.

4. The number of veterans who were able to receive equivalent college credits or technical certifications in the last fiscal year, and the academic level of the credits or certifications.

**SA 4344. Mr. SULLIVAN** (for himself, Mr. WARNER, Mr. CORNYN, and Mr. KIRK) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title XII, add the following:

**Subtitle I—Countering Foreign Propaganda and Disinformation Act**

**SEC. 1281. SENSE OF CONGRESS.** It is the sense of Congress that—

1. Governments, including the Governments of the Russian Federation and the People’s Republic of China, use disinformation and other propaganda tools to undermine the national security objectives of the United States and key allies and partners.

2. The Russian Federation, in particular, has conducted sophisticated and large-scale disinformation campaigns that have sought to have a destabilizing effect on United States allies and interests.

3. In the last decade disinformation has increasingly become a feature of the Government of the Russian Federation’s pursuit of political, economic, and military objectives in Ukraine, Moldova, Georgia, the Balkans, throughout Central and Eastern Europe.

4. The challenge of countering disinformation extends beyond effective strategic communications and public diplomacy, requiring a whole-of-government approach leveraging all elements of national power.

5. The United States Government should develop a comprehensive strategy to counter foreign disinformation and propaganda and assert leadership in developing a fact-based strategic narrative.

6. An important element of this strategy should be to protect and promote a free, healthy, and independent press in countries vulnerable to foreign disinformation.

**SEC. 1282. CENTER FOR INFORMATION ANALYSIS AND RESPONSE.**

(a) ESTABLISHMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall, in coordination with the Secretary of Defense, the Broadcasting Board of Governors, and other relevant departments and agencies, establish a Center for Information Analysis and Response (in this section referred to as the “Center”). The purposes of the Center are—

1. To develop, plan, and synchronize, in coordination with the Secretary of Defense, the Broadcasting Board of Governors, and other relevant departments and agencies, interagency initiatives to expose and counter foreign information operations directed against United States national security interests and proactively advance fact-based narratives that support United States allies and interests.

(b) FUNCTIONS.—The Center shall carry out the following functions:

1. Integrating interagency efforts to track and evaluate counterdisinformation narratives abroad that threaten the national security interests of the United States and United States allies, subject to appropriate regulations governing the dissemination of classified information and programs.

2. Analyzing relevant information from United States Government agencies, allied nations, think-tank and academic institutions, civil society groups, and other nongovernmental organizations.

3. Developing and disseminating thematic narratives and analysis on propaganda and disinformation directed at United States allies and partners in order to safeguard United States allies and interests.

4. Identifying current and emerging trends in foreign propaganda and disinformation, including the use of print, broadcast, online, and social media, support for third-party organizations such as such as media outlets, think-tanks, political parties, and nongovernmental organizations, in order to coordinate and shape the development of tactics, techniques, and procedures to expose and refute foreign disinformation and disinformation campaigns.

5. Facilitating the regular dissemination of a wide range of information-related technologies and techniques to counter foreign disinformation by sharing expertise among agencies, seeking expertise from external sources, and implementing best practices.

6. Identifying gaps in United States capabilities in areas relevant to the Center’s mission and recommending necessary enhancements or changes.

7. Identifying the countries and populations most susceptible to foreign government propaganda and disinformation.

8. Administering the information access fund established pursuant to subsection (e).

9. Coordinating with allied and partner nations, particularly those frequently targeted by foreign disinformation operations, and international organizations and entities such as the NATO Center for Strategic Communications, the European Endowment for Democracy, and the European External Action Service Task Force on Strategic Communications, in order to amplify the Center’s efforts and avoid duplication.

(c) COMPOSITION.—

1. COORDINATOR.—The Secretary of State shall appoint a full-time Coordinator to lead the Center.

2. STIRRING COMMITTEE.—

   (A) COMPOSITION.—The Secretary of State shall establish a Steering Committee composed of senior representatives of agencies relevant to the Center’s mission to provide advice to the Coordinator on the strategic and strategic orientation of the Center and to ensure adequate support for the Center.
The Steering Committee shall include the officials set forth in subparagraph (C), one senior representative designated by the Secretary of Defense, the Chairman of the Joint Chiefs of Staff, the Administrator of the United States Agency for International Development, and the Chairman of the Broadcasting Board of Governors.

(B) Meetings. The Steering Committee shall meet not less than every 3 months.

(C) Chairman and Vice Chairmen. The Steering Committee shall be chaired by the Under Secretary of State for Political Affairs. A senior, Secretary of State-designated official responsible for digital media programming for foreign audiences and a senior, Secretary of State-designated official responsible for information operations shall serve as co-Vice Chairman.

(D) Executive Secretary. The Coordinator of the Center shall serve as Executive Secretary of the Steering Committee.

(E) Participation and Independence. The Chairman of the Broadcasting Board of Governors shall not compromise the journalistic freedom or integrity of relevant media organizations. Other Federal agencies may be invited to participate in the Steering Committee as the Chair of the steering committee and with the consent of the Secretary of State.

staff. (1) General. The Chairman may, with the consent of the Secretary and without regard to the civil service laws and regulations, appoint and terminate a Director and such other additional personnel as may be necessary to enable the Center to carry out its functions. The employment of the Director and other personnel may not exceed the rate payable for level V of the Executive Schedule under section 5136 of that title.

(3) Detail of Government Employees. Any permanent or temporary government employee may be detailed to the Center without reimbursement, and such detail shall be without interruption or loss of civil service status or preference.

(4) Procurement of Temporary and Intermittent Services. The Chairman may procure temporary and intermittent services under paragraphs (1) and (2) of section 515 of title 5, United States Code, at rates for individuals which do not exceed the basic pay prescribed for level V of the Executive Schedule under section 5136 of that title.

(e) Information Access Fund. (1) Authorization of Appropriations. There are appropriated to the Secretary of State for fiscal years 2001 and 2002 $20,000,000 to support the Center and provide grants or contracts of financial support to civil society groups, journalists, non-governmental organizations, federally funded research and development centers, private companies, or academic institutions for the following purposes:

(A) To support local independent media who are best placed to refute foreign disinformation and manipulation in their own communities.

(B) To collect and store examples in print, online, and social media, disinformation, misinformation, and propaganda directed at the United States to help allies and partners.

(C) To analyze tactics, techniques, and procedures of foreign government information warfare with respect to disinformation, misinformation, and propaganda.

(D) To support efforts by the Center to counter efforts by foreign governments to use propaganda to influence the policies and social and political stability of the United States and United States allies and partners.

(2) Funding Availability and Limitations. All organizations that apply to receive funds under this subsection must undergo a vetting process in accordance with the relevant existing regulations in order to ensure their bona fides, capability, and experience, and their compatibility with United States interests and objectives.

(3) Information. Grants derived from projected bulk fuel cost savings in the operation and maintenance, Defense-wide account shall be made available to cover the appropriation authorized in paragraph (1).

SEC. 1283. INCLUSION IN DEPARTMENT OF STATE EDUCATION AND CULTURAL EXCHANGE PROGRAMS OF FOREIGN STUDENTS AND COMMUNITY LEADERS FROM COUNTRIES AND POPULATIONS SUSCEPTIBLE TO FOREIGN MANIPULATION.

When selecting participants for United States educational and cultural exchange programs, the State shall give special consideration to students and community leaders from populations and countries that are susceptible to foreign propaganda and disinformation campaigns.

SEC. 1284. REPORTS.

(a) In General. Not later than one year after the establishment of the Center, the Secretary of State shall, in coordination with the Secretary of Defense and the Secretary of Homeland Security, submit to the appropriate congressional committees a report evaluating the success of the Center in fulfilling the purposes for which it was authorized and outlining steps to improve any areas of deficiency.

(b) Appropriation Congressional Committees Defined. In this section, the term ‘appropriate congressional committees’ means—

(1) the Committee on Foreign Relations, the Committee on Armed Services, and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(2) the Committee on Foreign Affairs, the Committee on Armed Services, and the Committee on Homeland Security and Governmental Affairs of the House of Representatives.

SEC. 1285. TERMINATION OF CENTER AND STEERING COMMITTEE.

The Center for Information Analysis and Response and the Steering Committee shall terminate ten years after the date of the enactment of this Act.

SEC. 1286. RULE OF CONSTRUCTION REGARDING RELATIONSHIP TO INTELLIGENCE AUTHORITIES.

Nothing in this Act shall be construed as superseding or modifying any existing authorities governing the collection, sharing, analysis, and dissemination of intelligence programs and activities or existing regulations governing the sharing of classified information and programs.

SA 4348. Ms. BALDWIN submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriate appropriations for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was considered and agreed to by the Senate by the following:

At the end of subtitle B of title II, add the following:

SEC. 1097. PETERSBURG NATIONAL BATTLEFIELD BOUNDARY MODIFICATION.

(a) In General. The Secretary of the Petersburg National Battlefield is modified to include the land and interests in land as generally depicted on the map titled ‘‘Petersburg National Battlefield Expansion,’’ numbered 325/80,080, and dated March 2015. The map shall be in file and available for public inspection in the appropriate offices of the National Park Service.

(b) Acquisition of Property.—

(1) In General.—There is transferred—

(A) from the Secretary of the Army administrative jurisdiction over the approximately 1,170-acre parcel of land depicted as ‘‘Area to be transferred to Fort Lee Military Reservation’’ on the map described in paragraph (2); and

(B) from the Secretary of the Army to the Secretary of the Interior administrative jurisdiction over the approximately 1,171-acre parcel of land depicted as ‘‘Area to be transferred to Petersburg National Battlefield’’ on the map described in paragraph (2).

(2) MAP.—The land transferred is depicted on the map titled ‘‘Petersburg National Battlefield Proposed Transfer of Administrative Jurisdiction’’, numbered 325/80,081,A, dated May 2011. The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(3) Conditions of Transfer.—The transfer of administrative jurisdiction under paragraph (1) is subject to the following conditions:

(A) No Reimbursement or Consideration.—The transfer is without reimbursement or consideration.

(B) Management.—The land conveyed to the Secretary under paragraph (1) shall be included within the boundary of the Petersburg National Battlefield and shall be administered as part of that park in accordance with applicable laws and regulations.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, the Administrator of the National Park Service, and the Administrator of the Office of Surface Mining shall—

SEC. 221. REPORT ON NATIONAL SECURITY IMPLICATIONS OF INVESTMENTS WITHIN THE DEFENSE INDUSTRY.
Defense shall submit to the congressional defense committees a report on the national security implications of independent research and development investments within the defense industry. The report shall include the following:

(1) An assessment of the short-term and long-term benefits for the national security of the United States with respect to innovation, modernization, and technological superiority resulting from low levels of independent research and development investment within the defense industry.

(2) For fiscal years 2015 and 2016, an analysis of how firms in the defense industry have allocated corporate earnings, including a breakdown by allocation types such as—

(A) investments in research and development;

(B) mergers or acquisition activities; or

(C) activities to primarily increase shareholder value.

(3) An assessment whether regulations and acquisition policies of the Department of Defense provide incentives for firms in the defense industry to place a priority on short-term targets for earnings-per-share rather than on long-term capital investments.

(4) Such recommendations for legislative or administrative action as the Secretary considers appropriate to encourage, facilitate, and enhance independent research and development investments within the defense industry, and to spur innovation within the defense industry.

SA 4349. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. BORDER SECURITY ENFORCEMENT TRANSPARENCY.

(a) Definitions.—In this section

(1) The term “border security” means the prevention of unlawful entries into the United States, including entries by terrorists, other unlawful aliens, instruments of terrorism, narcotics, and other contraband.

(2) Checkpoint.—The term “checkpoint” means a location—

(A) where vehicles or individuals traveling through the location are stopped or boarded by an officer of U.S. Customs and Border Protection; the purposes of enforcement of United States laws and regulations; and

(B) that is not located at a port of entry along an international border of the United States.

(3) Law enforcement official.—The term “law enforcement official” means—

(A) an officer or agent of U.S. Customs and Border Protection;

(B) an officer or agent of U.S. Immigration and Customs Enforcement; or

(C) an officer or employee of a State or a political subdivision of a State who is carrying out the functions of an immigration officer pursuant to an agreement entered into under section 237(g) of the Immigration and Nationality Act (8 U.S.C. 1370, 1623(g)), pursuant to authorization under title IV of the Tariff Act of 1930 (19 U.S.C. 1401 et seq.), or pursuant to any other agreement with the Department of Homeland Security.

(4) Patrol stop.—The term “patrol stop” means seizure or interrogation of a motorist, passenger, or pedestrian initiated anywhere except as part of an inspection at a port of entry or checkpoint.

(5) Primary Inspection.—The term “primary inspection” means an inspection of a vehicle or individual at a checkpoint.

(6) Secondary Inspection.—The term “secondary inspection” means a further inspection of a vehicle or individual that is conducted following a primary inspection.

(b) Reporting for Data Collection Regarding Stops and Searches Intended to Enforce Border Security.—A law enforcement official who initiates a patrol stop or checkpoint who initiates a brief and limited inquiry during a primary inspection, including by referral to a secondary inspection or by conducting a search of the vehicle or its occupants, shall collect the following data:

(1) The date, time, and location of the contact.

(2) The surname and date of birth of the individual subject to the contact.

(3) The law enforcement official’s basis for, or circumstances surrounding, the action, including if such individual’s perceived race or ethnicity contributed to such basis.

(4) The identifying characteristics of such individual, including the individual’s perceived race, gender, ethnicity, and approximate age.

(5) The duration of the stop, detention, or search, whether consent was requested and obtained for any search, and the name of the person who provided such consent.

(6) A description of any articulable facts and behavior by the individual that justify initiating a stop or probable cause to justify any search pursuant to such contact.

(7) A description of any items seized during such search, including contraband or money, and a specification of the type of search conducted.

(8) Whether any warning or citation was issued as a result of such contact and the basis for such warning or citation.

(9) Whether an arrest or detention was made as a result of such contact, the justification for such arrest or detention, and the ultimate disposition of such arrest.

(10) Whether the affected individual is undergoing immigration proceedings as of the date of the annual report.

(11) The immigration status of the individual and whether removal proceedings were subsequently initiated against the individual.

(12) Whether force was used by the law enforcement official and if so, the type of force and justification for using force.

(13) Whether any complaint was made by the individual, and if so whether there was any follow-up made regarding the complaint.

(14) The number of the law enforcement official involved in the complaint.

(15) If the action was initiated by a State or local law enforcement agency, the reason for involvement by law enforcement officials, the duration of the stop prior to contact with any Federal law enforcement official, the method by which a Federal law enforcement official was informed of the stop, and whether the individual was being held by State or local officials on State criminal charges at the time of such contact.

(c) Maintaining Customs and Border Protection Data Collection Regarding Checkpoints.—The Commissioner of U.S. Customs and Border Protection shall collect data on the number of permanent and temporary checkpoints utilized by officers of U.S. Customs and Border Protection, the location of the checkpoint, and a description of each such checkpoint, including the presence of any other law enforcement agencies and the use of law enforcement resources such as canines.

(d) Compilation of Data.—

(1) Department of Homeland Security Law Enforcement Officials.—The Secretary of Homeland Security shall compile the data.

(A) collected under subsection (b) by officers of U.S. Immigration and Customs Enforcement and by officers of U.S. Customs and Border Protection; and

(B) collected under subsection (c) by the Commissioner of U.S. Customs and Border Protection.

(2) Other Law Enforcement Officials.—The head of each agency, department, or organization that employs law enforcement officials other than officers referred to in paragraph (1) shall—

(A) compile the data collected by such law enforcement officials pursuant to subsection (b); and

(B) submit the compiled data to the Secretary of Homeland Security.

(e) Use of Data.—The Secretary of Homeland Security shall consider the data compiled under subsection (d) in making policy and program decisions related to enforcement of border security.

(f) Annual Report.—

(1) Requirement.—Not later than one year after the effective date of this Act, and annually thereafter, the Secretary of Homeland Security shall submit to Congress a report on the data compiled under subsection (d) that includes all such data for the previous year.

(2) Availability.—Each report submitted under paragraph (1) shall be made available to the public, except for particular data if the Secretary explicitly invokes an exemption contained in paragraphs (1) through (9) of section 552(b) of title 5, United States Code, and provides a written explanation for the exemption’s applicability.

(g) Effective date.—This section shall take effect 60 days after the date of the enactment of this Act.

SA 4350. Mr. WARNER (for himself, Mr. CARPER, and Mr. COONS) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title III, add the following:

SEC. 306. ENERGY PREPAREDNESS FOR THE DEPARTMENT OF DEFENSE AND THE ARMED FORCES.

(a) Statement of Policy.—It shall be the policy of the Department of Defense and the Armed Forces to ensure the readiness of the Armed Forces for their military missions by pursuing energy preparedness, including reliance of sources of electric power and the efficient use of electric power.

(b) Authorities.—In order to achieve the policy set forth in subsection (a), the Secretary of Defense may take the actions as follows:

(1) Electric Power Reliability Plans for Military Installations.—The Secretary shall direct the service secretaries to establish and maintain electric power reliability plans that best meet their installations’ mission assurance guidelines.

(2) Availability of Electric Power and Cost of Backup Power as Factors in Procurement.—The Secretary may authorize
the use of reliability and the cost of backup power as factors in the cost-benefit analysis for procurement of electric power.

SA 4351. Mr. REID (for Mr. BLUMENTHAL) submitted an amendment intended to be proposed by Mr. Reid to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

After section 535, add the following:

SEC. 536A. INDEXING AND PUBLIC AVAILABILITY OF DECISIONS AND OTHER DOCUMENTS CONCERNING WITH ACTIONS OF BOARDS FOR THE CORRECTION OF MILITARY RECORDS.

Section 1552(a) of title 10, United States Code, as amended by section 536(a)(1) of this Act, is further amended—

(1) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively; and

(2) by inserting after paragraph (5) the following:

"(4) Any documents made available for public inspection and copying pursuant to subparagraph (A) shall be indexed in a usable and complete form so as to enable the public to identify cases similar in issue together with the circumstances under or reasons for which the board concerned granted or denied relief. Each index shall be published quarterly, and shall be available for public inspection and distribution by sale at the Reading Room referred to in subparagraph (A).

"(C) To the extent necessary to prevent a clearly unwarranted invasion of personal privacy, any board shall be delimited from documents made available for public inspection and copying pursuant to subparagraph (A) only if a written statement of the basis for such deletion is made available for public inspection."
“(2) CONTENTS OF STRATEGY.—The strategy required under paragraph (1) shall, at a minimum, address each of the following:

(A) The Department’s digital engagement efforts to leverage the print and existing Internet, digital, and other technologies and social media platforms to counter violent extremism, as well as the best practices and lessons learned from other Federal, State, local, tribal, territorial, non-governmental, and foreign partners engaged in similar countering-messaging activities.

(B) Departmental efforts to conduct oversight of all countering violent extremism training and training materials and other resources developed or funded by the Department.

(C) Departmental efforts to ensure all training materials and resources are consistent with the principles of violence, civil rights, and civil liberties, including safeguards against discrimination.

(D) An analysis of the homeland security risk posture to violent extremism based on the threat environment and empirical data assessing terrorist activities and incidents, and violent extremist propaganda, messaging, or outreach.

(F) An analysis of how the Department’s non-discrimination policies as they relate to countering violent extremism adhere to relevant Federal, State, local, tribal, and territorial, and other Federal departments and agencies responsible for activities relating to countering violent extremism, including in training, outreach, and information sharing programs.

(G) An analysis of the Department’s near-term, mid-term, and long-term risk-based goals for countering violent extremism, reflecting the risk analysis conducted under subparagraph (F).

(H) STRATEGIC CONSIDERATIONS.—In drafting the strategy under paragraph (1), the Secretary shall consider including the following:

(a) Departmental efforts to undertake research to improve the Department’s understanding of the risk of violent extremism and to identify ways to improve countering violent extremism activities and programs, including outreach, training, and information sharing programs.

(b) The Department’s nondiscrimination policies as they relate to countering violent extremism.

(c) Departmental efforts to support community engagement and partnerships to counter violent extremism in furtherance of the strategy.

(d) Departmental efforts to help increase support for programs and initiatives to counter violent extremism of other Federal, State, local, tribal, territorial, nongovernmental, and foreign partners that are in furtherance of the strategy, and which adhere to all relevant constitutional, legal, and privacy protections.

(E) Departmental efforts to disseminate to local law enforcement agencies and the general public information resources, such as training guidance, workshop reports, and the violent extremist threat, through multiple platforms, including the development of a dedicated webpage, and information regarding the effectiveness of those efforts.

(F) Departmental efforts to use cooperative agreements with State, local, tribal, territorial, and other Federal departments and agencies responsible for efforts relating to countering violent extremism, and information regarding the effectiveness of those efforts.

(G) Information on oversight mechanisms and protections to ensure that activities and programs implemented by or pursuant to the strategy adhere to all relevant constitutional, legal, and privacy protections.

‘‘(2) CONTENTS OF STRATEGY.—The strategy required under paragraph (1) shall, at a minimum, address each of the following:

(A) The Department’s digital engagement efforts to leverage the print and existing Internet, digital, and other technologies and social media platforms to counter violent extremism, as well as the best practices and lessons learned from other Federal, State, local, tribal, territorial, non-governmental, and foreign partners engaged in similar countering-messaging activities.

(B) Departmental efforts to conduct oversight of all countering violent extremism training and training materials and other resources developed or funded by the Department.

(C) Departmental efforts to ensure all training materials and resources are consistent with the principles of violence, civil rights, and civil liberties, including safeguards against discrimination.

(D) An analysis of the homeland security risk posture to violent extremism based on the threat environment and empirical data assessing terrorist activities and incidents, and violent extremist propaganda, messaging, or outreach.

(F) An analysis of how the Department’s non-discrimination policies as they relate to countering violent extremism adhere to relevant Federal, State, local, tribal, and territorial, and other Federal departments and agencies responsible for activities relating to countering violent extremism, including in training, outreach, and information sharing programs.

(E) Development of qualitative and quantitative risk-based metrics, to evaluate the Department’s programs and policies to counter violent extremism.

(H) An analysis of how the Department’s nondiscrimination policies as they relate to countering violent extremism adhere to relevant Federal, State, local, tribal, and territorial, and other Federal departments and agencies.

(G) STRATEGIC CONSIDERATIONS.—In drafting the strategy under paragraph (1), the Secretary shall consider including the following:

(a) Departmental efforts to undertake research to improve the Department’s understanding of the risk of violent extremism and to identify ways to improve countering violent extremism activities and programs, including outreach, training, and information sharing programs.

(b) The Department’s nondiscrimination policies as they relate to countering violent extremism.

(c) Departmental efforts to support community engagement and partnerships to counter violent extremism in furtherance of the strategy.

(d) Departmental efforts to help increase support for programs and initiatives to counter violent extremism of other Federal, State, local, tribal, territorial, nongovernmental, and foreign partners that are in furtherance of the strategy, and which adhere to all relevant constitutional, legal, and privacy protections.

(E) Departmental efforts to disseminate to local law enforcement agencies and the general public information resources, such as training guidance, workshop reports, and the violent extremist threat, through multiple platforms, including the development of a dedicated webpage, and information regarding the effectiveness of those efforts.

(F) Departmental efforts to use cooperative agreements with State, local, tribal, territorial, and other Federal departments and agencies responsible for efforts relating to countering violent extremism, and information regarding the effectiveness of those efforts.

(G) Information on oversight mechanisms and protections to ensure that activities and programs implemented by or pursuant to the strategy adhere to all relevant constitutional, legal, and privacy protections.
protected by law or the Federal Government is otherwise expressly prohibited from releasing such data due to statutory requirements.

(3) The Federal Government has the responsibility to be transparent and accountable to its citizens.

(4) Data controlled, collected, or created by the Federal Government should be originated, transmitted, and published in modern, open, and electronic format, to be as readily accessible as possible, consistent with data standards and authority under this subtitle and to the extent permitted by law.

(5) The effort to inventory Government data must foster substantial benefits such as identifying opportunities within agencies to reduce waste, increase efficiencies, and save taxpayer dollars. As such, this effort should involve many types of data, including data generated by applications, devices, networks, and equipment, which can be harnessed to improve operations, lower energy consumption, reduce costs, and strengthen security.

(6) Communication, commerce, and data transcend national borders. Global access to Government information is essential to promoting innovation, scientific discovery, entrepreneurship, education, and the general welfare.

(b) AGENCY DEFINED.—In this subtitle, the term “agency” has the meaning given that term in section 3602 of title 44, United States Code, and includes the Federal Election Commission.

SEC. 1099. RULE OF CONSTRUCTION.

Nothing in this subtitle, or the amendments made by this subtitle, shall be construed to require the disclosure of information or records that are exempt from public disclosure under section 552 of title 5, United States Code (commonly known as the “Freedom of Information Act”).

SEC. 1099A. FEDERAL INFORMATION POLICY DEFINITIONS.

Section 3502 of title 44, United States Code, is amended—

(1) in paragraph (13), by striking “; and” at the end and inserting a semicolon;

(2) in paragraph (14), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

“(17) the term ‘Enterprise Data Inventory’ means the data inventory developed and maintained pursuant to section 3522;

(18) the term ‘machine-readable data’ means information, regardless of form or the media on which the data is recorded;

(19) the term ‘metadata’ means structural or descriptive information about data such as content, format, source, rights, or provenance, frequency, periodicity, granularity, publisher or responsible party, contact information, method of collection, and other descriptions;

(20) the term ‘nonpublic data asset’—

(A) means a data asset that may not be made available to the public for privacy, security, confidentiality, regulation, or other reasons as determined by law; and

(B) includes data provided by contractors that is protected by contract, license, patent, copyright, confidentiality, regulation, or other restriction;

(21) the term ‘open format’ means a technical format based on an underlying open standard; and

(B) based on an underlying open standard that is maintained by a standards organization;

(22) the term ‘open Government data’ means a Federal Government public data asset that is—

(A) machine-readable;

(B) available in an open format; and

(C) part of the worldwide public domain or, if necessary, published with an open license;

(23) the term ‘open license’ means a legal guarantee applied to a data asset that is made available to the public that such data asset is made available—

(A) at no cost to the public; and

(B) with no copying, publishing, distributing, transmitting, citing, or adapting; and

(24) the term ‘public data asset’ means a collection of data elements or a data set maintained by the Government that—

(A) may be released; or

(B) has been released to the public in an open format and is discoverable through a search of Data.gov.”.

SEC. 1099B. REQUIREMENT FOR MAKING OPEN AND MACHINE-READABLE THE DEFAULT FOR GOVERNMENT DATA.

(a) AMENDMENT.—Subchapter I of chapter 35 of title 44, United States Code, is amended—

(1) by inserting after the item relating to section 3502 of title 44, United States Code, and before the item relating to section 3504 of title 44, United States Code, the following:

“§ 3522. Requirements for Government data

(a) MACHINE-READABLE DATA REQUIRED.—Government data assets made available by an agency shall be published as machine-readable data.

(b) OPEN BY DEFAULT.—When not otherwise prohibited by law, and to the extent practicable, Government data assets shall—

(1) be available in an open format; and

(2) be available under open licenses.

(c) OPEN LICENSE OR WORLDWIDE PUBLIC DOMAIN.—Data assets that are not otherwise prohibited by law, and to the extent practicable, Government data assets published by or for an agency shall be made available under an open license or, if not made available under an open license and appropriately released, shall be considered to be published as part of the worldwide public domain.

(d) INNOVATION.—Each agency may engage with nongovernmental organizations, citizens, nongovernmental organizations, colleges and universities, private and public companies, and other agencies to explore opportunities to leverage the agency’s public data asset in a manner that may provide new opportunities for innovation in the public and private sectors in accordance with law and regulation.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for subchapter I of chapter 35 of title 44, United States Code, is amended by inserting after the item relating to section 3521 the following:

“§ 3522. Requirements for Government data.

(c) EFFECTIVE DATE.—Notwithstanding section 10692, the requirements made by subsections (a) and (b) shall take effect on the date that is 1 year after the date of enactment of this Act and shall apply with respect to any contracts entered into by an agency on or after such effective date.

(d) USE OF OPEN DATA ASSETS.—Not later than 1 year after the date of enactment of this Act, the head of each agency shall ensure that any activities by the agency or any new contract entered into by the agency meet the requirements of section 3522 of title 44, United States Code, as added by subsection (a).

SEC. 1099C. RESPONSIBILITIES OF THE OFFICE OF ELECTRONIC GOVERNMENT.

(a) COORDINATION OF FEDERAL INFORMATION RESOURCES MANAGEMENT POLICY.—Section 3503 of title 44, United States Code, is amended by adding at the end the following:

“(c) COORDINATION OF FEDERAL INFORMATION RESOURCES MANAGEMENT POLICY.—The Federal Chief Information Officer shall work in coordination with the Administrator of the Office of Information and Regulatory Affairs and with the Offices within the Office of Management and Budget to oversee and advise the Director on Federal information resources management policy.

(b) AUTHORITY AND FUNCTIONS OF DIRECTOR.—Section 350(h) of title 44, United States Code, is amended—

(1) in paragraph (1), by inserting “, the Federal Chief Information Officer,” after “the Director of the National Institute of Standards and Technology”;

(2) in paragraph (4)—

(A) in subparagraph (A), by striking “;” and

“and” inserting a semicolon; and

(B) by adding at the end the following:

“(C) oversee the completeness of the Enterprise Data Inventory and the extent to which the agency is making all data collected and generated by the agency available to the public in accordance with section 3523;”;

(3) in paragraph (5), by striking the period at the end and inserting “;”;

(4) by inserting after paragraph (5), as so redesignated, the following:

“(4) ‘Federal Chief Information Officer’ means the Federal Chief Information Officer of the Office of the Federal Chief Information Officer established under section 3602;”;

(2) OFFICE OF THE FEDERAL CHIEF INFORMATION OFFICER.—Section 3602 of title 44, United States Code, is amended—

(1) by striking “‘Electronic Government’” and inserting “the Federal Chief Information Officer”;

(B) in subsection (a), by striking “Office of Electronic Government” and inserting “Off-
(A) in subsection (b)(2), by striking “The Administrator of the Office of Electronic Government” and inserting “The Federal Chief Information Officer”; (B) in addition (c)(1), by striking “The Administrator of the Office of Electronic Government” and inserting “The Federal Chief Information Officer”; (C) in subsection (c), by striking “the Administrator” and inserting “the Federal Chief Information Officer”. (4) E-GOVERNMENT FUND.—Section 3694 of title 44, United States Code, is amended— (A) in subsection (a), by striking “The Administrator of the Office of Electronic Government” and inserting “the Federal Chief Information Officer”; (B) in subsection (b), by striking “Administrator” each place it appears and inserting “Federal Chief Information Officer”; and (C) in subsection (c), by striking “the Administrator” and inserting “the Federal Chief Information Officer”. (5) PROGRAM TO ENCOURAGE INNOVATIVE SOLUTIONS TO ENHANCE ELECTRONIC GOVERNMENT SERVICES AND PROCESSES.—Section 3605 of title 44, United States Code, is amended— (A) in subsection (a), by striking “The Administrator of the Office of Electronic Government” and inserting “the Federal Chief Information Officer”; (B) in subsection (b), by striking “, the Administrator,” and inserting “, the Federal Chief Information Officer,”; and (C) in subsection (c), by striking “the Administrator” and inserting “the Federal Chief Information Officer”. (6) TECHNICAL AND CONFORMING AMENDMENTS.— (A) TABLE OF SECTIONS.—The table of sections for chapter 36 of title 44, United States Code, is amended— (A) in subsection (a), by striking “The Administrator of the Office of Electronic Government” and inserting “The Federal Chief Information Officer”; and (B) in subsection (b), by striking “, the Administrator,” and inserting “, the Federal Chief Information Officer,”. (B) POSITIONS AT LEVEL III.—Section 3514 of title 5, United States Code, is amended by striking “Administrator of the Office of Electronic Government” and inserting “Federal Chief Information Officer”. (C) OFFICE OF ELECTRONIC GOVERNMENT.—Section 307 of title 51, United States Code, is amended by striking “The Office of Electronic Government” and inserting “The Office of the Federal Chief Information Officer”. (D) ELECTRONIC GOVERNMENT AND INFORMATION TECHNOLOGIES.—Section 305 of title 44, United States Code, is amended by striking “The Office of Electronic Government” and inserting “The Office of the Federal Chief Information Officer”. (E) CAPITAL PLANNING AND INVESTMENT CONTROL.—Section 1332(c)(4) of title 40, United States Code, is amended by striking “Administra- tor of the Office of Electronic Government” each place it appears and inserting “Federal Chief Information Officer”. (F) VENDORS, CONTRACTING, AND PORTFOLIO MANAGEMENT.—The second subsection (c) of section 11319 of title 40, United States Code, is amended by striking “Administrator of the Office of Electronic Government” each place it appears and inserting “Federal Chief Information Officer”. (G) ADDITIONAL TECHNICAL AND CONFORMING AMENDMENTS.— (1) Section 2223(a)(6) of title 10, United States Code, is amended by striking “section 3601(4)’’ and inserting “section 3601(3)’’. (2) Section 506D(k)(1) of the National Security Act of 1947 (50 U.S.C. 3106(k)(1)) is amended by striking “section 3601(4)” and inserting “section 3601(3)”. (3) RULE OF CONSTRUCTION.—The amendments made by this subsection are for the purpose of changing the name of the Office of Electronic Government and the Administrator of such office and shall not be construed to affect any of the substantive provisions of the provisions amended or to require any determination or decision new and not expressed by the amending Act. SEC. 1099D. DATA INVENTORY AND PLANNING. (a) ENTERPRISE DATA INVENTORY.— (1) AMENDMENT.—Subchapter I of chapter 35 of title 44, United States Code, as amended by section 1099B, is amended by adding at the end the following: *(8) 3523. Enterprise data inventory* (a) AGENCY DATA INVENTORY REQUIRED.—(1) IN GENERAL.—In order to develop a clear and comprehensive understanding of the data assets in the possession of an agency, the head of each agency, in consultation with the Chief Information Officer of the agency, will develop, maintain, and implement an enterprise data inventory that contains information about each data asset created, collected, maintained, or shared by the agency. (2) CONTENTS.—The Enterprise Data Inventory shall include each of the following: (A) Data asset information, including— (i) a description of whether the agency has determined that the data asset is public or non-public; (ii) criteria to determine when a data asset is considered to be public or non-public; and (iii) a description of whether the agency has implemented policies or procedures for converting the data into a manner that can be made publicly available under section 3504 of title 44, United States Code, as amended; (B) Non-public data assets. (3) AVAILABILITY.—The Chief Information Officer of each agency shall ensure that the Enterprise Data Inventory is available to the public, upon request of interested parties. (b) FEDERAL AGENCY RESPONSIBILITIES.— Section 3506 of title 44, United States Code, is amended— (1) in subsection (b), by adding at the end a semicolon; and (2) in subsection (b)(2), by adding “; and” after “a review of each agency’s Enterprise Data Inventory”. (c) PROGRAM TO ENCOURAGE INNOVATIVE SOLUTIONS TO ENHANCE ELECTRONIC GOVERNMENT SERVICES AND PROCESSES.—Section 3605 of title 44, United States Code, as amended by section 1099B, is amended by adding after the item relating to section 3522 the following: *(3) 3523. Enterprise data inventory.* (b) STANDARDS FOR ENTERPRISE DATA INVENTORY.—Section 3504a of title 44, United States Code, is amended— (1) in subparagraph (A), by striking “; and” and inserting a semicolon; and (2) in subparagraph (B)(vi), by striking “the end” and inserting “and”. (3) RULING OF CONSTRUCTION.—The amendments made by this subsection are for the purpose of changing the name of the Office of Electronic Government and the Administrator of such office and shall not be construed to affect any of the substantive provisions of the provisions amended or to require any determination or decision new and not expressed by the amending Act. CONGRESSIONAL RECORD — SENATE S3351 May 26, 2016
“(ii) allow the agency to collaborate with non-Government entities, researchers, businesses, and private citizens for the purpose of understanding how data users value and use open Government data;”

“(B) identifies and implements methods for collecting and analyzing digital information on data asset usage by users within and outside of the Government, including designating a point of contact within the agency to assist the public and to respond to quality issues, usability, recommendations for improvements, and comments about adherence to open data requirements in accordance with subsection (b)(2);”

“(C) develops and implements a process to evaluate and improve the timeliness, completeness, accuracy, usefulness, and availability of open Government data;”

“(D) requires the agency to update the plan at an interval determined by the Director;”

“(E) includes requirements for meeting the goals of the agency open data plan including technology, training for employees, and implementing procurement standards, in accordance with existing law, that allow for the acquisition of innovative solutions from the public and private sector; and

“(F) prohibits the dissemination and accidental disclosure of nonpublic data assets.”

“(2) in subsection (c), by striking ‘‘shall’’ before ‘‘regularly’’;

“(3) in the matter preceding paragraph (1), by striking ‘‘shall’’.

“(4) by adding at the end the following:

“‘(D) hosting challenges, competitions, and other initiatives designed to create awareness, or other initiatives designed to create awareness, and private citizens for the purpose of understanding how data users value and use open Government data, but not less than annually;’’;

“(E) includes requirements for meeting the goals of the agency open data plan including technology, training for employees, and implementing procurement standards, in accordance with existing law, that allow for the acquisition of innovative solutions from the public and private sector; and

“(F) prohibits the dissemination and accidental disclosure of nonpublic data assets.’’

“§ 3511A. Technology portal.

“(a) OPEN DATA COMPLIANCE REPORT.—Not later than 180 days after the date of enactment of this Act, the Administrator of General Services, the method to access any open Government data published through the interface described in subsection (a),”

“(b) COORDINATION WITH AGENCIES.—The Director of the Office of Management and Budget shall determine, after consultation with the head of each agency and the Administration, the method to access any open Government data published through the interface described in subsection (a),”

“(c) DEADLINE.—Not later than 180 days after the date of enactment of this Act, the Administrator of General Services shall meet the requirements of section 3511A(a) of title 44, United States Code, as added by subsection (a).”

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“SEC. 1099E. ENHANCED RESPONSIBILITIES FOR CHIEF INFORMATION OFFICERS AND CHIEF INFORMATION OFFICERS COUNCIL DUTIES.

“(a) AGENCY CHIEF INFORMATION OFFICER GENERAL RESPONSIBILITIES.—

“(1) GENERAL RESPONSIBILITIES.—Section 1124(b) of title 44, United States Code, is amended—

“(A) in paragraph (2), by striking ‘‘; and’’ and inserting a semicolon;

“(B) in paragraph (3), by striking the period at the end and inserting a semicolon;

“(C) by adding at the end the following:

“(4) data asset management, format standardization, sharing of data assets, and publication of data assets;”

“(d) OPEN DATA COMPLIANCE REPORT.—Not later than 1 year after the date of enactment of this subsection, the Director of the Office of Management and Budget shall electronically publish the Open Data Compliance Report on the Open Data Compliance portion of the Open Government Data website in an open and usable format, and make it accessible to the public as a result of this subtitle and the amendments made by this Act.

“(e) SYSTEMATIC AGENCY REVIEW OF OPERATIONS.—Section 306 of title 5, United States Code, is amended—

“(1) by inserting ‘‘shall’’ before ‘‘regularly’’;

“(2) by adding at the end the following:

“(d) engaging agency employees, the public, and contractors in using open Government data and encourage collaborative approaches to improving data use;

“(e) supporting the agency Performance Improvement Officer in generating data to support the functions of the Performance Improvement Officer described in section 1124(a)(2) of title 31;

“(f) reviewing the information technology infrastructure of the enterprise data inventory, the impact of such infrastructure on making data assets accessible to reduce barriers that inhibit data asset accessibility;”

“(g) ensuring that, to the extent practicable, the agency is maximizing its own use of data, including data generated by applications, devices, networks, and equipment owned by the Government and such use is not otherwise prohibited, to reduce costs, improve operations, and strengthen security and privacy protections; and

“(h) identifying roles of public contact for roles and responsibilities related to open data use and implementation as required by the Director of the Office of Management and Budget.”

“(2) ADDITIONAL DEFINITIONS.—Section 11315 of title 40, United States Code, is amended by adding at the end the following:

“(b) ADDITIONAL DEFINITIONS.—In this section, the terms ‘‘data’, ‘data asset’, ‘Enterprise Data Inventory’, and ‘open Government data’ have the meanings given those terms in section 3502 of title 44.”

“(b) AMENDMENT.—Section 3603 (f) of title 44, United States Code, is amended by adding at the end the following:

“(A) DATA.GOV REQUIRED.—The Administrator of General Services shall maintain a single point of access online as a point of entry dedicated to sharing open Government data with the public.”
promote data interoperability and comparability of data assets across the Government.’’

SEC. 1099F. EVALUATION OF AGENCY ANALYTICAL CAPABILITIES.

(a) AGENCY REVIEW OF EVALUATION AND ANALYSIS CAPABILITIES; REPORT.—Not later than 3 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on the activities and operations of the agency that are being evaluated and analyzed during the previous 5 years.

(b) REQUIREMENTS OF AGENCY REVIEW.—The report submitted under subsection (a) shall assess the coverage, quality, methods, effectiveness, and accuracy of the agency’s evaluation and analysis efforts, including each of the following:

(1) A list of the activities and operations of the agency that are being evaluated and analyzed during the previous 5 years.

(2) The extent to which the evaluation research and analysis efforts and related activities of the agency support the needs of various parts of the agency.

(3) The extent to which the evaluation research and analysis efforts and related activities of the agency address an appropriate balance of activities related to occupational learning, ongoing program management, performance management, strategic management, interagency and private sector coordination, and external oversight, and accountability.

(4) The extent to which the agency uses methods and combinations of methods that are appropriate to agency divisions and the corresponding research questions being addressed, including an appropriate combination of formative and summative evaluation research and analysis approaches.

(5) The extent to which evaluation and research capacity is present within the agency to include personnel, agency process for planning and implementing evaluation activities, disseminating best practices and findings, and incorporating employee views and feedback.

(6) The extent to which the agency has the capacity to assist front-line staff and program offices to develop the capacity to use evaluation research and analysis approaches and data to support evaluation efforts.

(g) GAO REVIEW OF AGENCY REPORTS.—Not later than 4 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report that summarizes agency findings and highlights trends from the report submitted pursuant to subsection (a) and, if appropriate, recommends actions to further improve agency capacity to use evaluation techniques and data to support evaluation efforts.

SEC. 1099G. EFFECTIVE DATE.

This subtitle, and the amendments made by this subtitle, shall take effect on the date that is 90 days after the date of enactment of this Act.

SA 4354. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 419, strike lines 7 through 13 and insert the following:

(B) An assessment of the ratio of members of the Armed Forces performing active duty for the National Guard and civilian employees of the Department of Defense required to best contribute to the readiness of the Reserve and of the National Guard for its Federalized and non-Federalized missions.

SA 4355. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 138, between lines 17 and 18, insert the following:

(5) The Chief of the National Guard Bureau and the Vice Chief of the National Guard Bureau.

SA 4356. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 715, between lines 6 and 7, insert the following:

(5) The extent to which evaluation and research and analysis efforts and related activities of the agency address an appropriate balance of activities related to occupational learning, ongoing program management, performance management, strategic management, interagency and private sector coordination, and external oversight, and accountability.

On page 90, between lines 7 and 8, insert the following:

(5) The extent to which evaluation and research and analysis efforts and related activities of the agency that are being evaluated and analyzed during the previous 5 years.

SEC. 1085. ANNUAL REPORT ON PERSONNEL, TRAINING, AND EQUIPMENT REQUIREMENTS FOR THE NON-FEDERALIZED NATIONAL GUARD TO SUPPORT CIVILIAN AUTHORITIES IN PREVENTION AND RESPONSE TO DOMESTIC DISASTERS.

(a) ANNUAL REPORT REQUIRED.—Section 10694 of title 10, United States Code, is amended—

(1) in subsection (a), by striking "RE-

PORT.—" and inserting "REPORT ON STATE OF THE NATIONAL GUARD.—";

(2) by striking "(b) SUBMISSION OF REPORT TO CONGRESS.—" and inserting "(2)";

(3) by striking "annual report of the Chief of the National Guard Bureau" and inserting "annual report required by paragraph (1)";

and

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

(2) by striking "(b) ANNUAL REPORT ON NON-FEDERALIZED SERVICE NATIONAL GUARD PERSONNEL, TRAINING, AND EQUIPMENT REQUIREMENTS.—(1) Not later than January 31 of each of calendar years 2017 through 2021, the Chief of the National Guard Bureau shall submit to the congressional defense committees and the official of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 358, between lines 6 and 7, insert the following:

(6) An officer from the National Guard Bureau in the grade of general.

SA 4357. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 90, between lines 7 and 8, insert the following:

(5) The extent to which evaluation and research and analysis efforts and related activities of the agency that are being evaluated and analyzed during the previous 5 years.

SA 4358. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

In section 502, strike subsection (rr).

SA 4359. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 90, between lines 7 and 8, insert the following:

(5) The extent to which evaluation and research and analysis efforts and related activities of the agency that are being evaluated and analyzed during the previous 5 years.

SA 4360. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1085. ANNUAL REPORT ON PERSONNEL, TRAINING, AND EQUIPMENT REQUIRMENTS FOR THE NON-FEDERALIZED NATIONAL GUARD TO SUPPORT CIVILIAN AUTHORITIES IN PREVENTION AND RESPONSE TO DOMESTIC DISASTERS.

(a) ANNUAL REPORT REQUIRED.—Section 10694 of title 10, United States Code, is amended—

(1) in subsection (a), by striking "RE-

PORT.—" and inserting "REPORT ON STATE OF THE NATIONAL GUARD.—";

(2) by striking "(b) SUBMISSION OF REPORT TO CONGRESS.—" and inserting "(2)";

(3) by striking "annual report of the Chief of the National Guard Bureau" and inserting "annual report required by paragraph (1)";

and

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

(2) by striking "(b) ANNUAL REPORT ON NON-FEDERALIZED SERVICE NATIONAL GUARD PERSONNEL, TRAINING, AND EQUIPMENT REQUIREMENTS.—(1) Not later than January 31 of each of calendar years 2017 through 2021, the Chief of the National Guard Bureau shall submit to the congressional defense committees and the official of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 358, between lines 6 and 7, insert the following:

(6) An officer from the National Guard Bureau in the grade of general.
appropriate civilian authorities, and the Council of Governors.

"5" In addition to the congressional defense committees, the annual report required by paragraph (a) shall be submitted to the following officials:

(A) The Secretary of Defense.

(B) The Secretary of Homeland Security.

(C) The Commander of Northern Command.

(D) The Secretary of the Army.

(E) The Secretary of the Air Force.

(F) The Commander of the United States Northern Command.

(G) The Commander of the United States Cyber Command.

(b) CONFORMING AND CLERICAL AMENDMENTS.

(1) SECTION HEADING.—The heading of such section is amended to read as follows:

"§ 10504. Chief of the National Guard Bureau: annual report."

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 101 of such title is amended by striking the item relating to section 10504 and inserting the following new item:

"10504. Chief of the National Guard Bureau: annual reports.".

SA 4361. Mr. LEAHY (for himself and Mr. SANDERS) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title III, add the following:

SEC. 314. STRATEGIC PLAN FOR MANUFACTURING WORKFORCE.

Subsection (f)(1) of section 2521 of title 10, United States Code, is amended—

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

(2) by inserting after subparagraph (A) the following new subparagraph (B):

"(B) The Department of Defense, the Department of Energy, and other Federal agencies shall, in consultation with the Council of Governors, establish a strategic plan for the manufacturing workforce goals, process development, technical training and education, and credentialling for the program.".

SA 4362. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

Subtitle I—Technology Innovation and Acquisition Provisions

SEC. 898G. PILOT PROGRAM ON DISTRIBUTION OF ROYALTIES RECEIVED BY DEPARTMENT OF DEFENSE LABORATORIES.

(a) IN GENERAL.—Except as provided in sub sections (b) and (d), any royalties or other payments received by a Federal agency from the licensing and assignment of inventions under agreements entered into by Department of Defense laboratories, and from the licensing of inventions of Department of Defense laboratories shall be retained by the laboratory which produced the invention and shall be disposed of as follows:

(1)(A) The laboratory director shall pay each year the first $2,000, and thereafter at least 20 percent, of the royalties or other payments, other than payments of patent costs charged and any other payments required by an assignment agreement, to the inventor or coinventors, if the inventor’s or coinventor’s rights are assigned to the United States.

(B) A laboratory director may provide appropriate incentives, from royalties or other payments, to laboratory employees who are not an inventor of such inventions but who substantially increased the technical value of the inventions.

(C) The laboratory shall retain the royalties and other payments received from an invention going to the laboratory where the invention occurred. The royalties or other payments so transferred to any laboratory may be used or obligated by that laboratory during the fiscal year in which they are received or during the 2 succeeding fiscal years—

(A) to reward scientific, engineering, and technical employees of the laboratory, including development or classified technology, regardless of whether the technology has commercial applications;

(B) to further scientific exchange among the laboratories of the agency;

(C) for education and training of employees consistent with the research and development missions and objectives of the agency; or

(D) for expenses incidental to the administration of intellectual property by the agency or laboratory with respect to inventions made at that laboratory, including the fees or other costs for the services of other agencies, persons, or organizations for intellectual property management and licensing services; or

(e) CERTAIN ASSIGNMENTS.—If the invention involved was one assigned to the laboratory—

(1) by a contractor, grantee, or participant, or an employee of a contractor, grantee, or participant, in an agreement or arrangement with the agency; or

(2) by an employee of the agency who was not working in the laboratory at the time the invention was made, the agency unit that was involved in such assignment shall be considered to be a laboratory for purposes of this section.

(f) SUNSET.—The pilot program under this section shall terminate 180 days after the date of enactment of this Act.

SEC. 898H. METHODS FOR ENTERING INTO RESEARCH AGREEMENTS.

Section 238(b) of title 10, United States Code, is amended—

(1) in paragraph (3), by striking "or";

(2) in paragraph (4), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following new paragraph:

"(c) by transactions other than contracts, cooperative agreements, and grants entered into pursuant to sections 2371 and 2371b of this title; or

"(d) by procurement for experimental purposes pursuant to section 2373 of this title."

SEC. 899. PREFERENCE FOR USE OF OTHER TRANSACTIONS AND EXPERIMENTAL AUTHORITY.

In the execution of science and technology programs, the Secretary of Defense shall establish a preference for using transactions other than contracts, cooperative agreements, and grants entered into pursuant to sections 2371 and 2371b of this title; or authority for procurement for experimental purposes pursuant to section 2373 of this title.
SEC. 899L. ENHANCED AUTHORITY OF CONTRACT AUTHORITY FOR ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPE PROJECTS.

Section 819(b)(3) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 2302 note) is amended by striking the number of and all that follows through "$20,000,000" and inserting “the amount of expenditure consistent with a major system, as defined in section 2302d of title 10, United States Code”.

SEC. 899L. PERMANENCY AND ENHANCEMENT OF AUTHORITY FOR PRIZES FOR ADVANCED TECHNOLOGY ACHIEVEMENT.

Subsection (f) of section 2374a of title 10, United States Code, is amended to read as follows:

“(f) Use of Prize Authority.—Use of prize authority under this section shall be considered the use of competitive procedures for purposes of chapter 157 of this title.”.

SA 4363. Mr. BROWN (for himself and Mr. BLUNT) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title VII, add the following:

SEC. 740. REQUIREMENTS REGARDING UPDATE BY SECRETARY OF DEFENSE OF DEPLOYMENT HEALTH FORMS.

(a) POST DEPLOYMENT HEALTH ASSESSMENT.—When first updating the post deployment health assessment conducted by the Department of Defense after the date of the enactment of this Act, the Secretary of Defense shall include in such assessment a question relating to whether a member of the Armed Forces has witnessed or observed any in-service stressor, including any event, activity, or incident, during the deployment of the member.

(b) RECOMMENDATION ON DEPLOYMENT HEALTH.—When first updating Department of Defense Instruction 6490.03 “Deployment Health” after the date of the enactment of this Act, the Secretary of Defense shall ensure that in-service stressors are electronically uploaded into the military personnel files and medical records of the member for the permanent record of the member.

SA 4364. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I of title X, add the following:

SEC. 1097. PROTECTING FINANCIAL AID FOR STUDENTS AND TAXPAYERS.

(a) SHORT TITLE.—This section may be cited as the “Protecting Financial Aid for Students and Taxpayers Act”.

(b) FINDINGS.—Congress finds the following:

(1) From 1998 to 2013, enrollment in for-profit institutions of higher education increased by 314 percent, from 498,176 students to 2,064,920 students.

(2) Eight out of ten recipients of Post-9/11 Educational Assistance funds are for-profit institutions of higher education.

These 8 companies have received $2,900,000,000 in taxpayer funds to enroll veterans from 2009 to 2013.

(4) An analysis of 15 publicly traded companies that operate institutions of higher education shows that, on average, such companies spend 28 percent of expenditures on advertising, marketing, and recruiting.

SA 4365. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 812 and insert the following:

SEC. 812. MICRO-PURCHASE THRESHOLD APPLI-
CABLE TO GOVERNMENT PROCUREMENTS.

(a) INCREASE IN THRESHOLD.—Section 1902 of title 41, United States Code, is amended—

(1) in subsection (a), by striking “$3,000” and inserting “$10,000”; and

(2) in subsections (d) and (e), by striking “not greater than $3,000” and inserting “with a price not greater than the micro-purchase threshold”. 

(b) OMB GUIDANCE.—The Director of the Office of Management and Budget shall update the guidance in Circular A–123, Appendix B, as appropriate, to ensure that agencies—

(1) follow sound acquisition practices when making purchases using the Government purchase card; and

(2) maintain internal controls that reduce the risk of fraud, waste, and abuse in Government charge card programs.

(c) CONVENIENCE CHECKS.—A convenience check may not be used for an amount in excess of one half of the micro-purchase threshold under section 1902(a) of title 41, United States Code, or a lower amount set

an institution under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.), is specifically authorized under such title, or is otherwise specified by the Secretary of Education, shall not be considered to be a covered activity under paragraph (2).

(4) FEDERAL EDUCATIONAL ASSISTANCE FUNDS.—In this subsection, the term ‘Federal educational assistance funds’ means funds provided directly to an institution or to a student attending such institution under any of the following provisions of law:

(A) Title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.)

(B) Chapter 30, 31, 32, 33, 34, or 35 of title 38, United States Code.

(C) Title 101, 106A, 106B, 106D, or 1068 of title 10, United States Code.

(D) Section 1784a, 2005, or 2007 of title 10, United States Code.

(E) Title I of the Workforce Innovation and Opportunity Act (29 U.S.C. 3111 et seq.).

(F) The Adult Education and Family Literacy Act (29 U.S.C. 3271 et seq.).

Nothing in this section shall be construed as a limitation on the use by an institution of revenues derived from sources other than Federal educational assistance funds.

(6) REPORTS.—An institution of higher education, or other postsecondary educational institution, that derives 65 percent or more of revenues from Federal educational assistance funds shall report annually to the Secretary and to Congress and shall include in such report—

(A) the institution’s expenditures on advertising, marketing, and recruiting;

(B) a verification from an independent auditor that the institution is in compliance with the requirements of this subsection; and

(C) a certification from the institution that the institution is in compliance with the requirements of this subsection.
by the head of the agency, and use of convenience checks shall comply with controls prescribed in OMB Circular A-123, Appendix B.

At the end of subtitle B of title VIII, add the following:

SEC. 829K. SIMPLIFICATION OF THE PROCESS FOR PREPARATION AND EVALUATION OF PROPOSALS FOR CERTAIN SERVICE CONTRACTS.

(a) CONTRACTING UNDER TITLE 41, UNITED STATES CODE.—Section 3306(c) of title 41, United States Code, is amended—

(1) in paragraph (1), by inserting “except as provided in paragraph (3),” in subparagraphs (B) and (C) after the subparagraph designation; and

(2) by adding at the end the following new paragraphs:

“(3) EXCEPTIONS FOR CERTAIN INDEFINITE DELIVERY, INDEFINITE QUANTITY MULTIPLE-AWARD CONTRACTS AND CERTAIN FEDERAL SUPPLY SCHEDULE CONTRACTS.—If the head of an agency issues a solicitation for multiple task or delivery order contracts under section 4103 of this title, or a Federal supply schedule contract under section 501(b) of title 40 and section 1523(b) of this title, for the same or similar services and intends to make a contract award to each qualifying offeror—

“(A) cost or price to the Federal Government is not considered as an evaluation factor for the contract award; and

“(B) in subparagraph (A), by inserting “except as provided in paragraph (3)” in clauses (i) and (ii) after “shall”; and

(2) by adding at the end the following new subparagraphs:

“(C) the head of the agency issues a solicitation for multiple task or delivery order contracts under section 268a(d)(1)(B) of this title for the same or similar services and intends to make a contract award to each qualifying offeror—

“(i) cost or price to the Federal Government is not considered as an evaluation factor for the contract award; and

“(ii) the disclosure requirement of clause (iii) of subparagraph (A) shall not apply; and

“(3) the contracting officer has no reason to believe would likely offer other than fair and reasonable pricing.”

SEC. 829L. PILOT PROGRAMS FOR AUTHORITY TO ACQUIRE INNOVATIVE COMMERCIAL ITEMS USING GENERAL SOLICITATION COMPETITIVE PROCEDURES.

(a) AUTHORITY.—

(1) IN GENERAL.—The head of an agency may carry out a pilot program, to be known as a “commercial solutions opening pilot program”, under which innovative commercial items may be acquired through a competitive selection of proposals resulting from a general solicitation and the peer review of such proposals.

(2) HEAD OF AN AGENCY.—In this section, the term “head of an agency” means the following:

(A) The Secretary of Defense.

(B) The Secretary of Homeland Security.

(C) The Administrator of General Services.

(3) APPLICABILITY OF SECTION.—This section applies to the following agencies:

(A) The Department of Defense.

(B) The Department of Homeland Security.

(C) The General Services Administration.

(D) The National Aeronautics and Space Administration.

(E) The National Science Foundation.

(F) The Department of Energy.

(G) Any other Federal agency.

(b) PILOT PROGRAMS.—The head of an agency—

(1) if, pursuant to subparagraph (A), cost or price to the Federal Government is not considered as an evaluation factor for the contract award,

(2) in subparagraph (B), by inserting “except as provided in paragraph (3)” in clauses (i) and (ii) after “shall”; and

(3) by adding at the end the following new subparagraphs:

“(C) the head of the agency issues a solicitation for multiple task or delivery order contracts under section 4103 of this title, or a Federal supply schedule contract under section 501(b) of title 40 and section 1523(b) of this title, for the same or similar services and intends to make a contract award to each qualifying offeror—

“(1) cost or price to the Federal Government is not considered as an evaluation factor for the contract award;

“(2) the disclosure requirement of clause (iii) of subparagraph (A) shall not apply; and

“(3) the contracting officer has no reason to believe would likely offer other than fair and reasonable pricing.”

SEC. 829M. INCREASE IN SIMPLIFIED ACQUISITION THRESHOLD.

Section 134 of title 41, United States Code, is amended by striking “$100,000” and inserting “$500,000”.

SEC. 829N. CATEGORY MANAGEMENT.

(a) GUIDANCE.—The Office of Management and Budget shall develop guidance to support the implementation of category management by executive agencies. The guidance shall, at a minimum, the following:

(1) guidelines and best practices, and

(2) addressing common agency needs for goods and services through the use of data analytics, application of best-in-class practices, and a understanding of market and agency cost drivers and other relevant considerations;

(b) reducing duplication of contract vehicles for the same or similar services and technologies;

(c) collecting and interagency sharing of pricing data, contract terms and conditions, and other information as appropriate;

(d) strengthening demand management practices; and

(e) meeting other policy objectives achieved through Federal contracting, including—

(1) ensuring that small businesses, qualified HUBZone small business concerns, small businesses owned and controlled by socially and economically disadvantaged individuals, service-disabled veteran-owned small businesses, and small businesses owned and controlled by women are provided with the maximum practicable contract opportunities to other potential contractors, to participate in Federal acquisitions; and

(ii) strengthening sustainability and accessibility requirements in Federal acquisitions.

(2) The roles and responsibilities of the Office of Management and Budget, the General Services Administration, and other agencies, as appropriate, in furthering category management principles and practices.

(3) Metrics for measuring results achieved through application of category management principles and practices.

(b) RESPONSIBILITIES OF AGENCY CHIEF ACQUISITION OFFICERS.—Section 406(b)(3) of title 41, United States Code, is amended—

(1) by redesignating paragraphs (D), (E), (F), and (G) as subparagraphs (B), (F), (G), and (H), respectively; and

(2) by adding after subparagraph (D) the following new subparagraph (Y):

“(Y) establishing and overseeing a category management program for the agency’s spend in consultation with the agency Chief Financial Officer, the agency Chief Acquisition Officer, and other agency officials, as appropriate.”;
SEC. 2920. INNOVATION SET ASIDE PILOT PROGRAM.

(a) In General.—The Director of the Office of Management and Budget may, in consultation with the Administrator of the Small Business Administration, conduct a pilot program to increase the participation of new, innovative entities in Federal contracting through the use of innovation set-asides.

(b) Authority.—(1) Notwithstanding the competitive procurement requirements in chapter 33 of title 41, United States Code, and the set-aside requirements in section 15 of the Small Business Act (15 U.S.C. 644), a Federal agency, which determines the existence of a pilot program, may set aside a contract award to one or more new entrant contractors. The Director shall consult with the Administrator prior to providing concurrence.

(2) Notwithstanding any law addressing compliance requirements for Federal contracts—

(A) except as provided in subparagraph (B), a contract award to a new entrant contractor under the pilot program shall be subject to the same compliance requirements that apply to a new Federal contractor; and

(B) for up to five pilots, the Director may authorize a Federal agency to make an award to a new entrant contractor subject to the same compliance requirements that apply to a contractor receiving an award from the Secretary of Defense under section 2371 of title 10 United States Code.

(c) Conditions for Use.—The authority provided in subsection (b) may be used under the following conditions:

(1) (A) The agency has a requirement for new methods, processes, or technologies, which may include new research and development, or new applications of existing methods, processes or technologies, to improve quality, reduce costs, or both; or

(B) Based on market research, the agency has determined that the requirement cannot be easily provided through an existing Federal contract.

(2) The agency intends either to make an award to a small business concern or to give special consideration to a small business concern before making an award to other than a small business concern.

(3) The length of the resulting contract will not exceed 2 years.

(d) Number of Pilots.—The Director may authorize the use of up to 25 innovation set-asides.

(e) Award Amount.—

(1) Except as provided in paragraph (2), the amount of an award under the pilot program under this section may not exceed $2,000,000 (including any options).

(2) The Director may authorize not more than 5 set-asides with an award amount greater than $2,000,000 but not greater than $5,000,000 (including any options).

(3) The Director shall issue guidance, as necessary, to implement the pilot program under this section.

(4) Within 3 years after the date of the enactment of this Act, the Director, in consultation with the Administrator shall submit to Congress a report on the pilot program under this section. The report shall include the following:

(A) The number of awards (or orders under the Schedule) made under the authority of this section;

(B) For each award (or order)—

(i) the agency that made the award (or order);

(ii) the amount of the award (or order); and

(iii) a brief description of the award (or order), including the nature of the requirement and the innovation produced from the award (or expected if contract performance is not completed).

(g) Sunset.—The authority to award an innovation set-aside under this section shall terminate on December 31, 2020.

(h) Definition.—For purposes of this section, the term ‘new entrant contractor’, with respect to a contract under the program, means an entity that has not been awarded a Federal contract within the 5-year period ending on the date on which a solicitation for that contract is issued under the program.

SA 4366. Mr. CARPER submitted an amendment intended to be proposed by him to the bill to authorize all appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. DEPARTMENT COORDINATION.

(a) In General.—Title VII of the Homeland Security Act of 2002 (42 U.S.C. 6531 et seq.) is amended by adding at the end the following:

SEC. 706. DEPARTMENT COORDINATION.

(a) Definitions.—In this section—

(1) the term ‘Joint Task Force’ means a joint task force established under subsection (e)(9)(A);

(2) the term ‘joint requirement’ means a requirement, or the capability of a joint requirement, to satisfy a joint contract, standard, specification, or other formally imposed document;

(3) the term ‘Joint Task Force Leadership Council’ means a joint task force leadership council designated by the Secretary.

(4) the term ‘organizations’ includes the National Counterterrorism Center and the Joint Intelligence, Surveillance, and Reconnaissance Task Force.

(5) the term ‘Secretary’ means the Secretary of Homeland Security.

(b) Department Leadership Councils.—

(1) Establishment.—The Secretary shall establish such Department leadership councils as the Secretary determines necessary to ensure coordination among leadership in the Department.

(2) Function.—Department leadership councils shall—

(A) serve as coordinating forums;

(B) advise the Secretary and Deputy Secretary on Department strategy, operations, and guidance; and

(C) consider and report on such other matters as the Secretary or Deputy Secretary may direct.

(3) Chairperson; Members.—

(A) Chairperson.—The Secretary or a designee may serve as chairperson of a Department leadership council.

(B) Membership.—The Secretary shall determine the membership of a Department leadership council.

(c) Relationship to Other Forums.—The Secretary or Deputy Secretary may delegate the authority to direct the implementation of any decision or guidance resulting from the action of a Department leadership council to the Secretary, the Deputy Secretary, or the chairperson of a Department leadership council designated by the Secretary, to the Joint Requirements Council, or to the Joint Requirements Council,

(d) Number of Pilots.—The Director may establish such Department leadership councils as the Secretary determines necessary to ensure coordination among leadership in the Department.

(e) Relationship to Future Years Homeland Security Program.—The Secretary shall ensure that the Future Years Homeland Security Program required under section 874 is consistent with the recommendations of the Joint Requirements Council under paragraph (2)(C) of this subsection, as affirmed by the Secretary, the Deputy Secretary, or the chairperson of a Department leadership council designated by the Secretary.

(f) Planning and Guidance.—The Secretary shall ensure coordination between requirements developed from Joint Operational Plans and the Future Years Homeland Security Program required under section 874.

(g) Limitation.—Nothing in this subsection shall be construed to affect the national emergency management authorities and responsibilities of the Administrator of the Federal Emergency Management Agency under title V.

(h) Joint Task Forces.—

(1) Establishment.—The Secretary may establish and operate Departmental Joint Task Forces to conduct joint operations using personnel and capabilities of the Department.

(2) Joint Task Force Directors.—

(A) Director.—Each Joint Task Force shall be headed by a Director appointed by the Secretary for a term of not more than 2 years, who shall be a senior official of the Department.

(B) Extension.—The Secretary may appoint a person of a Department leadership council designated by the Secretary as the Director or Deputy Director of such Joint Task Force.
Joint Task Force for not more than 2 years if the Secretary determines that such an extension is in the best interest of the Department.

(7) JOINT TASK FORCE DEPUTY DIRECTORS.—For each Joint Task Force, the Secretary shall appoint a Deputy Director who shall be an official of a different component or office than the Director of the Joint Task Force.

(8) JOINT TASK FORCE DIRECTORS.—For each Joint Task Force, the Secretary shall designate a Director or, in the absence of a Director, the Deputy Director of the Department.

(D) RESPONSIBILITIES.—The Director of a Joint Task Force, subject to the oversight, direction, and guidance of the Secretary, shall—

(A) maintain situational awareness within the areas of responsibility of the Joint Task Force established by the Secretary and the Joint Task Force to which the authority, direction, and control of the Department is delegated under this section;

(B) provide operational plans and requirements for standard operating procedures and contingency operations;

(C) and exercise joint task force activities within the areas of responsibility of the Joint Task Force, as determined by the Secretary;

(D) act and accomplish strategic objectives through integrated operational planning and execution;

(E) exercise operational direction over personnel from components and offices of the Department allocated to the Joint Task Force to carry out the objectives of the Joint Task Force;

(F) establish operational and investigatory priorities within the operating areas of the Joint Task Force;

(G) coordinate with foreign governments and other Federal, State, and local agencies, as appropriate, to carry out the mission of the Joint Task Force; and

(H) carry out other duties and powers the Secretary determines appropriate.

(5) PERSONNEL AND RESOURCES.—

(A) IN GENERAL.—The Secretary may, upon request of the Director of a Joint Task Force, and giving appropriate consideration of risk to the other primary missions of the Department, allocate on a temporary basis personnel and equipment of components and offices of the Department to a Joint Task Force.

(B) COST NEUTRALITY.—A Joint Task Force may not require more personnel, equipment, or resources than would be required by components of the Department in the absence of the Joint Task Force.

(C) LOCATION OF OPERATIONS.—In establishing a location for a Joint Task Force, the Secretary shall, to the extent practicable, integrate facilities that integrate efforts of components of the Department and State, local, tribal, or territorial law enforcement or military entities.

(D) JOINT DUTY ASSIGNMENT.—The Secretary shall, at the time the budget of the President is submitted to Congress for a fiscal year under section 1109(a) of title 31, United States Code, and in the budget report to the congressional homeland security committees a report on the total funding, personnel, and other resources that each component of the Department allocated to each Joint Task Force shall carry out the mission of the Joint Task Force during the fiscal year immediately preceding the report.

(6) COMPONENT RESOURCE AUTHORITY.—As directed by the Secretary—

(A) each Director of a Joint Task Force shall be provided sufficient resources from relevant components and offices of the Department and the authority necessary to carry out the missions and responsibilities required under this section;

(B) the resources referred to in subparagraph (A) shall be under the operational authority, direction, and control of the Director of the Joint Task Force to which the resources are allocated;

(C) the personnel and equipment of each Joint Task Force shall remain under the administrative direction of the executive agent for the Joint Task Force.

(7) JOINT TASK FORCE STAFF.—Each Joint Task Force shall have a staff, composed of the personnel and equipment of components and offices of the Joint Task Force, as determined by the Secretary, to assist the Director in carrying out the mission and responsibilities of the Joint Task Force.

(8) ESTABLISHMENT OF PERFORMANCE METRICS.—The Secretary shall—

(A) establish outcome-based and other appropriate performance metrics to evaluate the effectiveness of each Joint Task Force;

(B) not later than January 31 of each year beginning in 2017, submit to each Joint Task Force and to the Committees a report that contains the evaluation described in subparagraph (A) and contains

(9) JOINT DUTY TRAINING PROGRAM.—

(A) IN GENERAL.—The Secretary shall—

(i) establish a joint duty training program in the Department for the purposes of—

(1) enhancing coordination within the Department; and

(2) promoting workforce professional development; and

(ii) tailor the joint duty training program to integrate joint operations as part of the Joint Task Force.

(B) ELEMENTS.—The joint duty training program established under subparagraph (A) shall address, at a minimum, the following topics:

(i) National security strategy.

(ii) Strategic and contingency planning.

(iii) Component and control of operations under joint command.

(iv) International engagement.

(v) The homeland security enterprise.

(vi) Interagency collaboration.

(vii) Leadership.

(viii) Specific subject matter relevant to the Joint Task Force to which the joint duty training program is assigned.

(C) TRAINING REQUIRED.—

(i) DIRECTORS AND DEPUTY DIRECTORS.—Except as provided in clauses (iii) and (iv), each Director or Deputy Director of a Joint Task Force shall address, at a minimum, the following topics:

(A) National security strategy.

(B) Strategic and contingency planning.

(C) Component and control of operations under joint command.

(D) International engagement.

(E) The homeland security enterprise.

(F) Interagency collaboration.

(G) Leadership.

(H) Specific subject matter relevant to the Joint Task Force to which the joint duty training program is assigned.

(ii) OTHER OFFICIALS.—Each official serving on a Joint Task Force shall complete the joint duty training program within the first year of assignment to the Joint Task Force.

(iii) EXCEPTION.—Clause (i) shall not apply to the first Director or Deputy Director appointed to a Joint Task Force on or after the date of enactment of this section.

(iv) WAIVER.—The Secretary may waive clause (i) if the Secretary determines that such a waiver is in the interest of homeland security.

(10) ESTABLISHING JOINT TASK FORCES.—

Subject to paragraph (13), the Secretary may establish Joint Task Forces for the purposes of—

(A) coordinating and directing operations along the land and maritime borders of the United States;

(B) cybersecurity; and

(C) preparing, preparing for, and responding to homeland security matters, as determined by the Secretary.

(II) PROMOTING WORKFORCE PROFESSIONAL DEVELOPMENT.—

(A) IN GENERAL.—Not later than 90 days before assignment to a Joint Task Force under this subsection, the Secretary shall submit a notification to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives.

(B) WAIVER AUTHORITY.—The Secretary may waive the requirement of subparagraph (A) in the event of an emergency circumstance that imminently threatens the protection of human life or the protection of property.

(II) REVIEW.—

(A) IN GENERAL.—The Inspector General of the Department shall conduct a review of each Joint Task Force established under this subsection.

(B) CONTENTS.—The review required under subparagraph (A) shall include—

(i) an initial report that contains the evaluation described in subparagraph (A) by not later than January 31, 2018; and

(ii) a second report that contains the evaluation described in subparagraph (A) by not later than January 31, 2021.

(13) LIMITATION ON JOINT TASK FORCES.—

(A) IN GENERAL.—The Secretary may not establish a Joint Task Force for any major disaster or emergency declared under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) or an incident for which the Federal Emergency Management Agency has primary responsibility for management of the response under title V of this Act, including section 504(a)(3)(A), unless the responsibilities of the Joint Task Force—

(i) do not include operational functions related to incident management, including coordination of operations; and

(ii) are consistent with the requirements of paragraphs (3) and (4)(A) of section 503(c) and section 509(c) of this Act and section 502 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) or an incident for which the Federal Emergency Management Agency has primary responsibility for management of the response under title V of this Act, and any other provision of law, including the diversion of any resources, personnel, or equipment from the Federal Emergency Management Agency or the Administrator thereof pursuant to section 506.

(D) JOINT DUTY ASSIGNMENT PROGRAM.—

The Secretary may establish a joint duty assignment program within the Department for the purposes of enhancing coordination in the Department and promoting workforce professional development.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—(b) SECURITY OF THE DOMINICAN REPUBLIC.—The table of contents in section 1(b) of the Department of Defense Appropriations Act, 2017, Public Law 114–66, is amended by inserting the following:

Sec. 709. Department coordination.
personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

**DIVISION F—DHS ACCOUNTABILITY**

**SECTION 6001. SHORT TITLE.** This division may be cited as the "DHS Accountability Act of 2016".

**SEC. 6002. DEFINITIONS.**

In this division:

1. **CONGRESSIONAL, HOMELAND SECURITY COMMITTEES.** The term "congressional homeland security committees" means—
   (A) the Committee on Homeland Security and Governmental Affairs of the Senate;
   (B) the Homeland Security Committee of the House of Representatives;
   (C) the Homeland Security Subcommittee of the Committee on Appropriations of the Senate; and
   (D) the Homeland Security Subcommittee of the Committee on Appropriations of the House of Representatives.

2. **DEPARTMENT.** The term "Department" means the Department of Homeland Security.

3. **SECRETARY.** The term "Secretary means the Secretary of Homeland Security.

**TITLE LXXI—DEPARTMENT MANAGEMENT AND COORDINATION**

**SEC. 6101. MANAGEMENT AND EXECUTION.**

(a) In General.—Section 103 of the Homeland Security Act of 2002 (6 U.S.C. 113) is amended—

(1) in subsection (a)(1)—

(A) by striking paragraph (F) and inserting the following:

"(F) an Under Secretary for Management, who shall be first assistant to the Deputy Secretary of Homeland Security for purposes of subchapter III of chapter 33 of title 5, United States Code;"; and

(B) by adding at the end the following:

"(K) an Under Secretary for Strategy, Policy, and Plans;";

(2) by adding at the end the following:

"(g) VACANCIES.—"

"(1) absence, disability, or vacancy of Secretary or Deputy Secretary.—Notwithstanding section 3345 of title 5, United States Code, the Under Secretary for Management shall serve as the Acting Secretary if by reason of the absence, disability, or vacancy in office, the Secretary or Deputy Secretary is not available to exercise the duties of the Office of the Secretary.

"(2) further order of succession.—Notwithstanding section 3345 of title 5, United States Code, the Secretary may designate such other officers of the Department in further order of succession to serve as Acting Secretary.

"(3) notification of vacancies.—The Secretary shall notify the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives of any vacancy that requires notification under sections 3345 through 3349d of title 5, United States Code (commonly known as the 'Federal Vacancies Reform Act of 1998')."

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

(1) in subsection (a)—

(A) by striking paragraph (9) and inserting the following:

"(9) The management integration and transformation within each functional management directorate of the Department, including information technology, financial management, acquisition management, human capital management, to ensure an efficient and effective, robust, and validated function of personnel and functions in the Department, including—

"(A) the development of centralized data sources and connectivity of information systems to the greatest extent practicable to enhance program visibility, transparency, and operational effectiveness and coordination;"

"(B) the development of standardized and automated management information to manage programs and make informed decisions to improve the efficiency of the Department;"

"(C) the development of effective program management oversight mechanisms, including clear roles and processes for program governance, sharing of best practices, and access to timely, reliable, and evaluated data on all acquisitions and investments; and"

"(D) the overall supervision, including the conduct of internal audits and management analyses, of the programs and activities of the Department, including establishment of oversight procedures to ensure a full and effective review of the efforts by components of the Department to implement policies and procedures of the Department for management integration and transformation;

"(B) by redesignating paragraphs (10) and (11) as paragraphs (12) and (13), respectively; and"

"(C) by inserting after paragraph (9) the following:

"(10) the development of a transition and succession plan, before December 1 of each year in which a Presidential election is held, to guide the transition of Department functions to a new Presidential administration, and making such plan available to the next Secretary and Under Secretary for Management and to the congressional homeland security committees.

"(11) Reporting to the Government Accountability Office every 6 months to demonstrate measurable, sustainable progress toward the achievement of measurable, sustainable results, and to provide annual performance and accountability reports to the Congress and to the congressional homeland security committees.

"(a) IN GENERAL.—Section 103 of the Homeland Security Act of 2002 (6 U.S.C. 113) is amended by adding after the end the following:

"(A) the development of centralized data sources and connectivity of information systems to the greatest extent practicable to enhance program visibility, transparency, and operational effectiveness and coordination;"

"(B) the development of standardized and automated management information to manage programs and make informed decisions to improve the efficiency of the Department;"

"(C) the development of effective program management oversight mechanisms, including clear roles and processes for program governance, sharing of best practices, and access to timely, reliable, and evaluated data on all acquisitions and investments; and"

"(D) the overall supervision, including the conduct of internal audits and management analyses, of the programs and activities of the Department, including establishment of oversight procedures to ensure a full and effective review of the efforts by components of the Department to implement policies and procedures of the Department for management integration and transformation;"

"(d) System for Award Management.—The System for Award Management shall be the procurement system to support the Department, and the System for Award Management shall be the system as maintained by the General Services Administration, or any successor thereto, to determine the membership of a Department leadership council.

"(2) MISSION.—In addition to other matters as the Secretary or Deputy Secretary may direct.

"(e) joint requirements council.—"(1) the term 'joint duty training program' means the training program established under subsection (c)(9)(A);

"(2) JOINT REQUIREMENTS COUNCIL.—"(a) DEFINITIONS.—In this section—

"(1) the term 'joint duty training program' means the training program established under subsection (c)(9)(A);

"(b) IN GENERAL.—"(a) the Committee on Homeland Security of the Senate; and

"(c) in section 701 of the Homeland Security Act of 2002 (6 U.S.C. 341) is amended—

(1) in subsection (a)—

(A) by striking paragraph (9) and inserting the following:

"(9) The management integration and transformation within each functional management directorate of the Department, including information technology, financial management, acquisition management, human capital management, to ensure an efficient and effective, robust, and validated function of personnel and functions in the Department, including—

"(A) the development of centralized data sources and connectivity of information systems to the greatest extent practicable to enhance program visibility, transparency, and operational effectiveness and coordination;"

"(B) the development of standardized and automated management information to manage programs and make informed decisions to improve the efficiency of the Department;"

"(C) the development of effective program management oversight mechanisms, including clear roles and processes for program governance, sharing of best practices, and access to timely, reliable, and evaluated data on all acquisitions and investments; and"

"(D) the overall supervision, including the conduct of internal audits and management analyses, of the programs and activities of the Department, including establishment of oversight procedures to ensure a full and effective review of the efforts by components of the Department to implement policies and procedures of the Department for management integration and transformation;"

"(B) by redesignating paragraphs (10) and (11) as paragraphs (12) and (13), respectively; and"

"(C) by inserting after paragraph (9) the following:

"(10) the development of a transition and succession plan, before December 1 of each year in which a Presidential election is held, to guide the transition of Department functions to a new Presidential administration, and making such plan available to the next Secretary and Under Secretary for Management and to the congressional homeland security committees.

"(11) Reporting to the Government Accountability Office every 6 months to demonstrate measurable, sustainable progress toward the achievement of measurable, sustainable results, and to provide annual performance and accountability reports to the Congress and to the congressional homeland security committees.

"(b) DEPARTMENT LEADERSHIP COUNCILS.—"(1) establishment.—The Secretary may establish such Department leadership councils as the Secretary determines necessary to ensure coordination among leadership in the Department.

"(2) function.—Department leadership councils shall—

"(a) serve as coordinating forums;

"(b) advise the Secretary and Deputy Secretary on Department strategy, operations, and policy.

"(C) consider and report on such other matters as the Secretary or Deputy Secretary may direct.

"(3) Chairperson.—"(A) chairperson.—The Secretary or a designee may serve as chairperson of a Department leadership council.

"(B) membership.—The Secretary shall determine the membership of a Department leadership council.

"(4) relationship to other forums.—The Secretary or Deputy Secretary may delegate the authority to direct the implementation of any decision or guidance resulting from the action of a Department leadership council to any office, committee, or other senior official of the Department.

"(a) joint requirements council.—"(1) establishment.—There is established within the Department a Joint Requirements Council.

"(b) mission.—In addition to other matters assigned to it by the Secretary and Deputy Secretary, the Joint Requirements Council shall—

"(1) establish, assess, and validate joint requirements (including existing systems and associated capability gaps) to meet mission needs of the Department;

"(B) ensure that appropriate efficiencies are made among life-cycle cost, schedule,
and performance objectives, and procurement quantity objectives, in the establishment and approval of joint requirements; and

"(c) make prioritized capability recommendations for the joint requirements approved under subparagraph (A) to the Secretary, the Deputy Secretary, or the chairperson of a Department leadership council designated by the Secretary to review decisions of the Joint Requirements Council.

"(3) Chair.—The Secretary shall appoint a chairperson of the Joint Requirements Council, for a term of not more than 2 years, from among senior officials from components of the Department or other senior officials as designated by the Secretary.

"(4) Composition.—The Joint Requirements Council shall be composed of senior officials representing components of the Department and other senior officials as designated by the Secretary.

"(5) Relationship to Future Years Homeland Security Program.—The Secretary shall ensure that the Future Years Homeland Security Program required under section 874 is consistent with the recommendations of the Joint Requirements Council under paragraph (2) of this subsection, as affirmed by the Secretary, the Deputy Secretary, or the chairperson of a Department leadership council designated by the Secretary under that paragraph.

"(d) Joint Operational Plans.—

"(1) Planning and Guidance.—The Secretary may direct the development of Joint Operational Plans for the Department and issue planning guidance for such development.

"(2) Coordination.—The Secretary shall ensure that requirements derived from Joint Operational Plans and the Future Years Homeland Security Program required under section 874 are consistent.

"(3) Chair.—The Secretary shall appoint a chairperson for a term of not more than 2 years, from among senior officials from components of the Department, allocate on a temporary basis personnel and equipment of components and offices of the Department to a Joint Task Force.

"(B) Cost Neutrality.—A Joint Task Force may not require more personnel, equipment, or resources than would be required by the Department in the absence of the Joint Task Force.

"(C) Location of Operations.—In establishing a joint duty training program, the Secretary shall, to the extent practicable, use existing facilities that integrate efforts of components of the Department and State, local, tribal, or territorial law enforcement or military entities.

"(D) Report.—The Secretary shall, at the time the budget of the President is submitted to Congress for a fiscal year under section 1105(a) of title 31, United States Code, submit to the congressional homeland security committees a report on the total funding, personnel, and other resources that each component of the Department allocated to each Joint Task Force to carry out the mission of the Joint Task Force during the fiscal year immediately preceding the report.

"(E) Component Resource Authority.—As directed by the Secretary:

"(i) each Joint Task Force shall be provided sufficient resources from relevant components and offices of the Department and the authority necessary to carry out its responsibilities required under this section;

"(ii) the resources referred to in subparagraph (A) shall be under the operational authority, direction, and control of the Director of the Joint Task Force to which the resources are assigned; and

"(iii) the personnel and equipment of each Joint Task Force shall remain under the administrative direction of the executive agent for the Joint Task Force.

"(F) Joint Task Force Staff.—Each Joint Task Force shall have a staff, composed of officials from relevant components, to assist the Director in carrying out the mission and responsibilities of the Joint Task Force.

"(G) Essential Performance Metrics.—The Secretary shall—

"(i) establish outcome-based and other appropriate performance metrics to evaluate the effectiveness of each Joint Task Force;

"(ii) not later than 120 days after the date of enactment of this section, submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives a report on the metrics established under subparagraph (A) to the extent practicable, use existing facilities that integrate efforts of components of the Department, allocate on a temporary basis personnel and equipment of components and offices of the Department to a Joint Task Force.

"(H) Joint Task Force Staff.—Each Joint Task Force shall have a staff, composed of officials from relevant components, to assist the Director in carrying out the mission and responsibilities of the Joint Task Force.

"(I) Joint Task Force Staff.—Each Joint Task Force shall have a staff, composed of officials from relevant components, to assist the Director in carrying out the mission and responsibilities of the Joint Task Force.

"(J) Joint Task Force Staff.—Each Joint Task Force shall have a staff, composed of officials from relevant components, to assist the Director in carrying out the mission and responsibilities of the Joint Task Force.

"(K) Joint Task Force Staff.—Each Joint Task Force shall have a staff, composed of officials from relevant components, to assist the Director in carrying out the mission and responsibilities of the Joint Task Force.

"(L) Joint Task Force Staff.—Each Joint Task Force shall have a staff, composed of officials from relevant components, to assist the Director in carrying out the mission and responsibilities of the Joint Task Force.

"(M) Joint Task Force Staff.—Each Joint Task Force shall have a staff, composed of officials from relevant components, to assist the Director in carrying out the mission and responsibilities of the Joint Task Force.

"(N) Joint Task Force Staff.—Each Joint Task Force shall have a staff, composed of officials from relevant components, to assist the Director in carrying out the mission and responsibilities of the Joint Task Force.

"(O) Joint Task Force Staff.—Each Joint Task Force shall have a staff, composed of officials from relevant components, to assist the Director in carrying out the mission and responsibilities of the Joint Task Force.

\[\text{(P) Joint Task Force Staff.—Each Joint Task Force shall have a staff, composed of officials from relevant components, to assist the Director in carrying out the mission and responsibilities of the Joint Task Force.}\]

\[\text{(Q) Joint Task Force Staff.—Each Joint Task Force shall have a staff, composed of officials from relevant components, to assist the Director in carrying out the mission and responsibilities of the Joint Task Force.}\]

\[\text{(R) Joint Task Force Staff.—Each Joint Task Force shall have a staff, composed of officials from relevant components, to assist the Director in carrying out the mission and responsibilities of the Joint Task Force.}\]

\[\text{(S) Joint Task Force Staff.—Each Joint Task Force shall have a staff, composed of officials from relevant components, to assist the Director in carrying out the mission and responsibilities of the Joint Task Force.}\]

\[\text{(T) Joint Task Force Staff.—Each Joint Task Force shall have a staff, composed of officials from relevant components, to assist the Director in carrying out the mission and responsibilities of the Joint Task Force.}\]

\[\text{(U) Joint Task Force Staff.—Each Joint Task Force shall have a staff, composed of officials from relevant components, to assist the Director in carrying out the mission and responsibilities of the Joint Task Force.}\]

\[\text{(V) Joint Task Force Staff.—Each Joint Task Force shall have a staff, composed of officials from relevant components, to assist the Director in carrying out the mission and responsibilities of the Joint Task Force.}\]

\[\text{(W) Joint Task Force Staff.—Each Joint Task Force shall have a staff, composed of officials from relevant components, to assist the Director in carrying out the mission and responsibilities of the Joint Task Force.}\]

\[\text{(X) Joint Task Force Staff.—Each Joint Task Force shall have a staff, composed of officials from relevant components, to assist the Director in carrying out the mission and responsibilities of the Joint Task Force.}\]

\[\text{(Y) Joint Task Force Staff.—Each Joint Task Force shall have a staff, composed of officials from relevant components, to assist the Director in carrying out the mission and responsibilities of the Joint Task Force.}\]

\[\text{(Z) Joint Task Force Staff.—Each Joint Task Force shall have a staff, composed of officials from relevant components, to assist the Director in carrying out the mission and responsibilities of the Joint Task Force.}\]
“(C) Submission.—The Inspector General of the Department shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security and Governmental Affairs of the House of Representatives—

“(i) an initial report that contains the evaluation described in subparagraph (A) by not later than January 31, 2018; and

“(ii) a second report that contains the evaluation described in subparagraph (A) by not later than January 31, 2021.

“(D) LEVY OF JOINT TASK FORCES.—

“(A) IN GENERAL.—The Secretary may not establish a Joint Task Force for any major disaster or emergency declared under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) or an incident for which the Federal Emergency Management Agency has primary responsibility for management of the response under title V of this Act, including section 504(a)(3)(A), unless the responsibilities of the Joint Task Force are—

“(i) related to events, threats, and incidents involving a natural disaster, act of terrorism, or other man-made disaster;

“(ii) concerning the status and potential vulnerability of critical infrastructure and key resources of the United States;

“(iii) relevant to the mission of the Department of Homeland Security; or

“(d) as may be determined by the Secretary under section 202;” and

“(5) in subsection (d), as so redesignated—

“(A) in the subsection heading, by striking "Fire" and inserting "Emergency"; and

“(B) by striking paragraph (1) and inserting the following:

“(1) ESTABLISHMENT OF POSITIONS.—The Secretary shall establish a position, on a rotating basis, for a representative of State and local emergency responders at the National Operations Center established under subsection (b) to ensure the effective sharing of information between the Federal Government and State and local emergency response services.”.

“(C) by striking paragraph (2); and

“(D) by redesigning paragraph (3) as paragraph (2).”.

SEC. 6104. HOMELAND SECURITY ADVISORY COUNCIL.

(a) IN GENERAL.—Section 102(b) of the Homeland Security Act of 2002 (6 U.S.C. 341 et seq.) is amended by adding at the end of the section the following:

“(5) enter into agreements with other Federal agencies or any State, local, or tribal government, or any international organization, for the purpose of—

“(A) assessing the impact of policies and programs of such agencies or governments on homeland security-related matters.”.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—The Homeland Security Act of 2002 (6 U.S.C. 341 et seq.) is amended by inserting at the end of the Act the following:

“SEC. 6105. STRATEGY, POLICY, AND PLANS.

(a) IN GENERAL.—Title VII of the Homeland Security Act of 2002 (6 U.S.C. 341 et seq.), as amended by this Act, is amended by adding at the end the following:

“(a) DEFINITIONS.—In this section:

“(1) ADMINISTRATOR.—The term 'Administrator' means the Administrator of the Federal Emergency Management Agency.

“(2) SECRETARY.—The term 'Secretary' means the Secretary of Homeland Security.

“(2) COORDINATOR.—The term 'Coordinator' means the Coordinator for Counterterrorism.

“(2) OFFICE FOR PARTNERSHIPS AGAINST VIOLENT EXTREMISM.—The term 'Office for Partnerships Against Violent Extremism' means the Office for Partnerships Against Violent Extremism designated under subsection (b).

“(A) DEFINITIONS.—In this section:

“(1) ADMINISTRATOR.—The term 'Administrator' means the Coordinator for Counterterrorism.

“(2) OFFICE FOR PARTNERSHIPS AGAINST VIOLENT EXTREMISM.—The term 'Office for Partnerships Against Violent Extremism' means the Office for Partnerships Against Violent Extremism designated under subsection (b).

“(3) SUBORDINATE.—The term ‘subordinate’ means the Assistant Secretary for Counterterrorism.

“(4) COUNTERING VIOLENT EXTREMISM.—The term ‘countering violent extremism’ means proactive and relevant actions to counter recruitment, radicalization, and mobilization to violent extremism and to address the immediate factors that lead to violent extremism and radicalization.

“(5) DOMESTIC TERRORISM; INTERNATIONAL TERRORISM.—The terms ‘domestic terrorism’ and ‘international terrorism’ have the meanings given those terms in section 2331 of title 18, United States Code.

“(6) RADICALIZATION.—The term ‘radicalization’ means the process by which an individual chooses to facilitate or commit domestic terrorism or international terrorism.

“(7) VIOLENT EXTREMISM.—The term ‘violent extremism’ means international or domestic terrorism.

“(B) ESTABLISHMENT.—There is in the Department an Office for Partnerships Against Violent Extremism.
"(c) HEAD OF OFFICE.—The Office for Partnerships Against Violent Extremism shall be headed by an Assistant Secretary for Partnerships Against Violent Extremism, who shall be appointed by the Secretary and report directly to the Secretary.

"(d) DEPUTY ASSISTANT SECRETARY, ASSIGNMENT OF PERSONNEL.—The Secretary shall—

(1) designate a career Deputy Assistant Secretary for Partnerships Against Violent Extremism; and

(2) assign, as appropriate, permanent staff to the Office for Partnerships Against Violent Extremism.

"(e) RESPONSIBILITIES.—

(1) IN GENERAL.—The Assistant Secretary shall be responsible for the following:

(A) Leading the efforts of the Department to counter violent extremism across all the components and offices of the Department that conduct strategic and supportive efforts to counter violent extremism. Such efforts shall include the following:

(i) Partnering with communities to address vulnerabilities that can be exploited by violent extremists in the United States and explore potential remedies for Government and non-government institutions.

(ii) Working with the civil society groups and communities to counter violent extremist propaganda, messaging, or recruitment.

(B) Serving as the primary Department-level representative in coordinating with the Department of State on international countering violent extremism efforts. The Administrator, providing guidance regarding the use of grants made to State, local, and tribal governments under sections 2003 and 2004 under the allowable uses guidelines related to countering violent extremism.

(C) Developing a plan to expand philanthropic support for domestic efforts related to countering violent extremism, including by identifying viable community projects and needs for possible philanthropic support.

(2) COMMUNITIES AT RISK.—For purposes of this subsubsection, the term ‘communities at risk’ shall not include a community that is determined to be at risk solely on the basis of race, religious affiliation, or ethnicity.

"(f) STRATEGY TO COUNTER VIOLENT EXTREMISM IN THE UNITED STATES.—

(1) STRATEGY.—Not later than 90 days after the date of enactment of this section, the Secretary shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Homeland Security and Governmental Affairs of the House of Representatives, and the Committee on the Judiciary of the House of Representatives a comprehensive Department strategy to counter violent extremism in the United States.

(2) CONTENTS OF STRATEGY.—The strategy required under paragraph (1) shall, at a minimum, address each of the following:

(A) The Department’s plan to leverage new and existing Internet and other technologies and social media platforms to improve non-government efforts to counter violent extremism, as well as the best practices and lessons learned from other Federal, State, local, tribal, territorial, and foreign partners engaged in similar counter-messaging efforts.

(B) The Department’s counting violent extremism-related engagement efforts.

(C) The use of cooperative agreements with State, local, tribal, territorial, and other Federal departments and agencies responsible for efforts relating to countering violent extremism.

(D) Coordinating with the Office for Civil Rights and Civil Liberties of the Department to ensure all of the activities of the Department related to countering violent extremism fully respect the privacy, civil rights, and civil liberties of persons.

(E) In coordination with the Under Secretary for Science and Technology and in consultation with the Under Secretary for Intelligence and Analysis, identifying and recommending new empirical research and analysis requirements to ensure the dissemination of information and methods for Federal, State, local, tribal, and territorial countering violent extremism practitioners, officials, law enforcement personnel, and non-governmental partners to utilize such research and analysis.

(F) Developing a digital engagement strategy that expands the outreach efforts of the Department to counter violent extremist messaging by—

(1) exploring ways to utilize relevant Internet and other technologies and social media platforms;

(G) Information on the Department’s strategy to counter violent extremism, as well as the best practices and lessons learned from other Federal, State, local, tribal, territorial, and non-governmental organizations.

(2) CONTENTS OF STRATEGY.—The implementation plan for each of the components and offices of the Department that conduct strategic and supportive efforts to counter violent extremism.

(3) STRATEGIC CONSIDERATIONS.—In drafting the strategy required under paragraph (1), the Secretary shall consider the following:

(A) Departmental efforts to undertake research to improve the Department’s understanding of the risk of violent extremism and to identify ways to improve countering violent extremism efforts, including outreach, training, and information sharing programs.

(B) The Department’s nondiscrimination policies as they relate to countering violent extremism.

(C) Departmental efforts to help promote community engagement and partnerships to counter violent extremism in furtherance of the strategy.

(D) Departmental efforts to help increase support for programs and initiatives to counter violent extremism of other Federal, State, local, tribal, territorial, nongovernmental, and foreign partners that are in furtherance of the strategy, and which adhere to all relevant constitutional, legal, and privacy protections.

(E) Departmental efforts to disseminate to local law enforcement agencies and the public the best practices and lessons learned from other Federal, State, local, tribal, territorial, and foreign partners engaged in similar counter-messaging activities, such as training guidance, workshop reports, and the violent extremist threat, through multiple platforms, including the development of a dedicated webpage, and information regarding the effectiveness of those efforts.

(F) Departmental efforts to use cooperative agreements with State, local, tribal, territorial, and other Federal departments and agencies responsible for efforts relating to countering violent extremism, and information regarding the effectiveness of those efforts.

(G) Information on oversight mechanisms and protections to ensure that activities and programs undertaken pursuant to the strategy adhere to all relevant constitutional, legal, and privacy protections.

(H) Departmental efforts to conduct oversight of all counting violent extremism training and training materials and other resources developed or funded by the Department.

(I) Departmental efforts to foster transparency by making, to the extent practicable, all regulations, guidance, documents, policies, and training materials publicly available, including through any webpage developed under subparagraph (E).

(4) STRATEGIC IMPLEMENTATION PLAN.—

(A) IN GENERAL.—Not later than 90 days after the date on which the Secretary submits the strategy required under paragraph (1), the Secretary shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Homeland Security and Governmental Affairs of the House of Representatives, and the Committee on the Judiciary of the House of Representatives an implementation plan for each of the components and offices of the Department with responsibilities under the strategy.

(B) CONTENTS.—The implementation plan required under subparagraph (A) shall include an integrated master schedule and cost estimates for activities and programs contained in the implementation plan, with specificity on how each such activity and program aligns with near-term, mid-term, and long-term goals specified in the strategy required under paragraph (1).

(5) ANNUAL REPORT.—Not later than April 1, 2017, and annually thereafter, the Assistant Secretary shall submit to Congress an annual review of the Department’s partnerships against violent extremism, which shall include the following:
"(1) A description of the status of the programs and policies of the Department for countering violent extremism in the United States.

(2) A description of the efforts of the Office for Partnerships Against Violent Extremism to cooperate with and provide assistance to other Federal departments and agencies.

(3) Qualitative and quantitative metrics for evaluating the success of such programs and policies and the steps taken to evaluate the success of such programs and policies.

(4) An accounting of—

(A) grants and cooperative agreements awarded by the Department to counter violent extremism; and

(B) all training specifically aimed at countering violent extremism sponsored by the Department.

(5) An analysis of how the Department’s activities to counter violent extremism correspond and adapt to the threat environment.

(6) A summary of how civil rights and civil liberties are protected in the Department’s activities to counter violent extremism.

(7) An evaluation of the use of section 2003 and section 2004 grants and cooperative agreements awarded to support efforts of local communities in the United States to counter violent extremism, including information on the effectiveness of such grants and cooperative agreements in countering violent extremism.

(8) A description of how the Office for Partnerships Against Violent Extremism incorporated lessons learned from the countering violent extremism programs and policies of foreign, State local, tribal, and territorial governments and stakeholder communities.

(9) ANNUAL REVIEW.—Not later than 1 year after the date of enactment of this section, and every year thereafter, the Office for Civil Rights and Civil Liberties of the Department shall—

(1) conduct a review of the Office for Partnerships Against Violent Extremism activities to ensure that all of the activities of the Office related to countering violent extremism, policies of foreign, State local, tribal, and territorial governments and stakeholder communities;

(2) make publicly available on the website of the Department a report containing the results of the review conducted under paragraph (1);” and

(2) in section 2008(b)(1)—

(A) in subparagraph (A), by striking “or” at the end;

(B) in subparagraph (B), by striking the period at the end and inserting “; or”;

(C) by adding at the end the following:

“(3) the Chief Information Officer shall submit to the Congress a copy of each inventory conducted under paragraph (1),”.

(2) in section 802 of the Homeland Security Act of 2002, as added by subsection (a), is repealed;

(2) the table of contents in section 8(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended by striking the item relating to section 802.

TITLE LXII—DEPARTMENT ACCOUNTABILITY, EFFICIENCY, AND WORKFORCE REFORMS

SEC. 6201. DUPLICATION REVIEW.

(a) IN GENERAL.—The Secretary shall—

(1) not later than 1 year after the date of enactment of this Act, submit to the congressional homeland security committees a review of the international affairs offices, functions, and responsibilities of the Department to identify and eliminate areas of unnecessary duplication; and

(2) not later than 30 days after the date on which the Secretary completes the review under paragraph (1), provide the results of the review to the congressional homeland security committees.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the congressional homeland security committees an analysis of how the Department’s information technology strategic plan, including corrective steps and an estimated date for completion, to address areas of duplication, overlap, and avoid opportunities for cost savings and revenue enhancement, as identified by the Government Accountability Office based on the annual report of the Government Accountability Office entitled “Additional Opportunities to Reduce Fragmentation, Overlap, and Duplication and Achieve Other Financial Benefits”.

(c) EXCLUSION.—This section shall not apply to international activities related to the protective mission of the United States Secret Service or the Coast Guard when operating under the direct authority of the Secretary of Defense or the Secretary of the Navy.

SEC. 6202. INFORMATION TECHNOLOGY STRATEGIC PLAN.

(a) IN GENERAL.—Section 703 of the Homeland Security Act of 2002 (6 U.S.C. 343) is amended by adding at the end the following:

“(c) STRATEGIC PLANS.—Consistent with the timing set forth in section 3304(a) of title 5, United States Code, and the requirements under section 3506 of title 44, United States Code, the Chief Information Officer shall develop, implement, and submit to the congressional homeland security committees an information technology strategic plan, which shall include how—

(1) information technology will be leveraged to meet the priority goals and strategic objectives of the Department;

(2) the budget of the Department aligns with priorities specified in the information technology strategic plan;

(3) unnecessary duplicative, legacy, and outdated information technology within and across the Department will be identified and eliminated, and an estimated date for the identification and elimination of duplicative information technology within and across the Department;

(4) the Chief Information Officer will coordinate with components of the Department to ensure that information technology policies are effectively and efficiently implemented through the Department;

(5) a list of information technology projects, including completion dates, will be made available to the public and Congress;

(6) the Chief Information Officer will inform Congress of high risk projects and cybersecurity risks; and

(7) the Chief Information Officer plans to maximize the use of commercial off-the-shelf information technology products and services.”.

SEC. 6203. SOFTWARE LICENSING.

(a) IN GENERAL.—Section 703 of the Homeland Security Act of 2002 (6 U.S.C. 343), as amended by section 6202 of this Act, is amended by adding at the end the following:

“(d) SOFTWARE LICENSING.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this section, and every 2 years thereafter, the Chief Information Officer, in consultation with Chief Information Officers of components of the Department—

(A) conduct a Department-wide inventory of all existing software licenses held by the Department, including utilized and unutilized licenses; and

(B) assess the needs of the Department for software licenses for the subsequent 2 fiscal years;

(2) the Chief Information Officer shall—

(A) identify and eliminate areas of unnecessary duplication, fragmentation, and overlap and for software licenses for the subsequent 2 fiscal years; and

(B) establish plans and estimated costs for eliminating unutilized software licenses for the subsequent 2 fiscal years; and

(3) the Chief Information Officer shall—

(A) identify and eliminate areas of unnecessary duplication, fragmentation, and overlap and for software licenses for the subsequent 2 fiscal years; and

(B) establish plans and estimated costs for eliminating unutilized software licenses for the subsequent 2 fiscal years.

“EXCESS SOFTWARE LICENSING.—

(1) PLAN TO REDUCE SOFTWARE LICENSES.—

(A) The Chief Information Officer may authorize the purchase of additional licenses and amend the number of needed licenses as necessary.

(2) SUBMISSION TO CONGRESS.—The Chief Information Officer shall submit to the Committee on Homeland Security of the House of Representatives a copy of each inventory conducted under paragraph (1)(A), each plan established under paragraph (1)(B), and each exception exercised under paragraph (2)(B)(ii).”.

(b) GAO REVIEW.—Not later than 1 year after the date on which the results of the first inventory are submitted to Congress pursuant to section 703(d), the Comptroller General of the United States shall assess whether the Department complied with the requirements under paragraphs (1) and (2)(A) of section 703(d) and provide the results of the review to the congressional homeland security committees.
SEC. 6204. WORKFORCE STRATEGY.  
Section 704 of the Homeland Security Act of 2002 (6 U.S.C. 345) is amended to read as follows:

"SEC. 704. CHIEF HUMAN CAPITAL OFFICER.  
(a) IN GENERAL.—There is a Chief Human Capital Officer of the Department, who shall report directly to the Under Secretary for Management.

(b) RESPONSIBILITIES.—In addition to the responsibilities set forth in chapter 14 of title 5, United States Code, and other applicable law, the Chief Human Capital Officer shall—

(1) develop and implement strategic workforce planning policies that are consistent with Government-wide leading principles and in line with Department strategic human capital goals and priorities;

(2) develop performance measures to provide a basis for monitoring and evaluating Department-wide strategic workforce planning efforts;

(3) develop, improve, and implement policies, including compensation flexibilities, that provide meaningful and performance-based incentives to Federal employees to where appropriate, to recruit, hire, train, and retain the workforce of the Department, in coordination with all components of the Department;

(4) identify methods for managing and overseeing programs and initiatives, in coordination with the head of each component of the Department;

(5) develop a career path framework and create a career path for Federal employees from the prior fiscal year;

(6) lead the efforts of the Department for managing employee resources, including training and development opportunities, in coordination with each component of the Department;

(7) work to ensure the Department is implementing human capital programs and initiatives and effectively educating each component of the Department about these programs and initiatives;

(8) identify and eliminate unnecessary and duplicative human capital policies and guidance;

(9) provide input concerning the hiring and performance of the Chief Human Capital Officer or comparable official in each component of the Department; and

(10) provide employees of the Department are informed of their rights and remedies under chapters 12 and 23 of title 5, United States Code, and part 2 of chapter 5 of title 5, United States Code, and other applicable regulations and other aspects of personnel management;

(b) COMPONENT STRATEGIES.—

(1) IN GENERAL.—Each component of the Department shall, in coordination with the Chief Human Capital Officer of the Department, develop a 5-year workforce strategy for the component that will support the goals, objectives, and performance measures of the Department for determining the proper balance of Federal employees and private labor resources.

(2) STRATEGY REQUIREMENTS.—In developing the 5-year strategy required under paragraph (1), each component shall consider the effect on human resources associated with creating additional Federal full-time equivalent positions, vacancies, or other personnel needs to ensure Federal employees, and other Federal employees, are informed of their rights and remedies available to them under chapters 12 and 23 of title 5, United States Code, and part 2 of chapter 5 of title 5, United States Code.

SEC. 6205. WHISTLEBLOWER PROTECTIONS.  
(a) IN GENERAL.—Section 833 of the Homeland Security Act of 2002 (6 U.S.C. 463) is amended to read as follows:

"SEC. 833. WHISTLEBLOWER PROTECTIONS.  
SEC. 7543(f) (a) Definitions.—In this section—

(1) the term 'new employee' means an individual;

(A) appointed to a position as an employee of the Department on or after the date of enactment of the DHS Accountability Act of 2018; or

(B) who has not previously served as an employee of the Department;

(2) the term 'prohibited personnel action' means taking or failing to take an action in violation of paragraph (4) of title 5, United States Code, and subsection (b) of section 7543 of title 5, United States Code, and section 7543 of the Homeland Security Act of 2002, and all other personnel actions which have the purpose or effect of materially injuring or harming an employee of the Department;

(3) the term 'new employee' means an employee of the Department serving in a supervisory position;

(4) the term 'new employee' means an employee of the Department serving in a position that has been newly created;

(5) the term 'new employee' means an employee of the Department serving in a position that has been newly created; and

(b) ADVERSE ACTIONS.—

(1) PROPOSED ADVERSE ACTIONS.—In accordance with paragraph (2), the Secretary shall propose against a supervisor whom the Secretary, an administrative law judge, the Merit Systems Protection Board, the Office of Special Counsel, or the Inspector General of the Department is entitled to written notice.

"(A)avra ation against whom an adverse action under paragraph (1) is proposed is entitled to written notice.

(2) TIMING.—The Secretary shall ensure that the information required to be provided under paragraph (1) is provided to each new employee of the Department not later than 6 months after the date the new employee is appointed.

(3) INFORMATION ONLINE.—The Secretary shall make available information regarding whistleblower protections applicable to employees of the Department on the public
website of the Department, and on any online portal that is made available only to employees of the Department.

(4) DELIBERATES.—Any employee to whom the Secretary delegates authority for personnel management, or for any aspect thereof, shall, within the limits of the scope of the delegation, be responsible for the activities described in paragraph (1).

(e) RULES OF CONSTRUCTION.—Nothing in this section shall be construed to exempt the Department from requirements applicable with respect to executive agencies.

(1) to provide equal employment protection for employees of the Department (including pursuant to paragraph (8) and (9) of section 2302(b) of title 5, United States Code, and the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5 U.S.C. 2301 note)); or

(2) to provide whistleblower protections for employees of the Department (including pursuant to paragraphs (8) and (9) of section 2302(b) of title 5, United States Code, and the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5 U.S.C. 2301 note)).

(b) TECHNICAL AND CONFORMING AMENDMENTS.—The textual elements of section 6301 of title 5, United States Code, and the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5 U.S.C. 2301 note))—

(1) abolish the Office of the Director of Counternarcotics Enforcement in the Department.

(2) TECHNICAL AND CONFORMING AMENDMENTS.—Section 434(b)(1)(B) of the Homeland Security Act of 2002 (6 U.S.C. 434(b)(1)(B)) is amended by striking “by—” and all that follows through the end and inserting “by the Secretary”;

TITLE LXXXIII—DEPARTMENT TRANSPARENCY AND ASSESSMENTS
SEC. 6301. HOMELAND SECURITY STATISTICS AND METRICS.
(a) In General.—Section 701 of the Homeland Security Act of 2002 (6 U.S.C. 341) is amended by striking subsection (b) and inserting the following:

‘‘(b) HOMELAND SECURITY STATISTICS AND JOINT ANALYSIS.—

(1) HOMELAND SECURITY STATISTICS.—The Under Secretary for Management shall—

(A) establish standards of reliability and validity for statistical data collected and analyzed by the Department;

(B) be provided with statistical data maintained by the Department regarding the operations of the Department;

(C) conduct or oversee analysis and reporting of such data by the Department as required by law or directed by the Secretary; and

(D) ensure the accuracy of metrics and statistical data provided to Congress.

(2) TRANSFER OF RESPONSIBILITIES.—There shall be transferred to the Under Secretary for Management the maintenance of all immigration statistical information of United States Customs and Border Protection and the Citizenship and Immigration Services, which shall include information and statistics of the type contained in this publication entitled ‘‘Yearbook of Immigration Statistics’’ prepared by the Office of Immigration Statistics, including region-by-region statistics on the aggregate number of applications and petitions filed by an alien (or filed on behalf of an alien) and denied, and the reasons for such denials, disaggregated by category of denial and application or petition type.

(b) IMMIGRATION FUNCTIONS.—Section 478(a) of the Homeland Security Act of 2002 (6 U.S.C. 348(a)) is amended—

(1) by adding at the end of the first paragraph, the following:

‘‘The term ‘border security metrics’ includes—

(A) the number of persons known to have overstayed the terms of their visa, by visa type.

(B) An estimated percentage of persons believed to have overstayed their visa, by visa type.

(C) A description of immigration enforcement actions.

(D) Border Security Metrics.—

(1) DEFINITIONS.—In this subsection:

(A) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘appropriate congressional committees’ means—

(i) the Committee on Homeland Security and Governmental Affairs of the Senate;

(ii) the Committee on Homeland Security of the House of Representatives;

(iii) the Committee on the Judiciary of the House of Representatives;

(iv) the Committee on the Judiciary of the Senate; and

(B) CONSEQUENCE DELIVERY SYSTEM.—The term ‘Consequence Delivery System’ means the series of consequences applied by the Border Patrol to persons unlawfully entering the United States to prevent unlawful border crossing recidivism.

(C) AWAY.—The term ‘got away’ means an unlawful border crosser who—

(i) is directly or indirectly observed making an unlawful entry into the United States through the maritime border; or

(ii) is not a turn back and is not apprehended.

(D) KNOWN MIGRANT FLOW.—The term ‘known migrant flow’ means the sum of the number of undocumented migrants—

(1) interdicted at sea;

(ii) identified at sea, but not interdicted;

(iii) that successfully entered the United States through the maritime border; or

(iv) not described in clause (i), (ii), or (iii), which were otherwise reported, with a significant degree of certainty, as having entered, or attempted to enter, the United States through the maritime border.

(E) MAJOR VIOLATOR.—The term the major violator’ means a person or entity that has engaged in serious criminal activities at any land, air, or sea port of entry, including—

(i) possession of illicit drugs;

(ii) smuggling of prohibited products;

(iii) human smuggling;

(iv) weapons possession;

(v) use of fraudulent United States documents; or

(vi) other offenses that are serious enough to result in arrest.

(F) SITUATIONAL AWARENESS.—The term ‘situational awareness’ means knowledge and unified understanding of current unlawful cross-border activity, including—

(i) threats and trends concerning illicit trafficking and unlawful crossings;

(ii) the ability to forecast future shifts in such threats and trends;

(iii) the ability to evaluate such threats and trends at a level sufficient to create actionable plans; and

(iv) the operational capability to conduct persistent and integrated surveillance of the international borders of the United States.

(G) TRANSIT ZONE.—The term ‘transit zone’ means the sea corridors of the western Atlantic Ocean, the Gulf of Mexico, the Caribbean Sea, and the Pacific Ocean through which undocumented migrants and illicit drugs transit, either directly or indirectly, to the United States.

(H) TURN BACK.—The term ‘turn back’ means an unlawful border crosser who, after making an unlawful entry into the United States, promptly returns to the country from which such cross border.

(I) UNLAWFUL BORDER CROSSING EFFECTIVENESS RATE.—The term ‘unlawful border crossing effectiveness rate’ means the percentage that results from dividing—

(i) the number of apprehensions and turn backs; and

(ii) the number of apprehensions, estimated unlawful entries, turn backs, and got aways.

(J) UNLAWFUL ENTRY.—The term ‘unlawful entry’ means an unlawful border crosser who entered the United States and is not apprehended by a border security component of the Department.

(2) METRICS FOR SECURING THE BORDER BETWEEN PORTS OF ENTRY.—

(A) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Secretary shall develop metrics, informed by situational awareness and the effectiveness of security between ports of entry. The Secretary shall annually implement the metrics developed under this subsection, which shall include—

(i) estimates, using alternative methodologies, including recidivism data, survey data,
known-flow data, and technologically measured data, of—

(I) total attempted unlawful border crossings;

(II) the rate of apprehension of attempted unlawful border crossings; and

(III) the number of unlawful entries;

(2) a situational awareness achievement metric that measures situational awareness achieved in each Border Patrol sector;

(3) an unlawful border crossing effectiveness rate; and

(4) probability of detection, which compares the estimated total unlawful border crossing attempts not detected by the Border Patrol to the total number of illicit drugs seized by the Border Patrol in any fiscal year to the average of the amount and type of illicit drugs seized by the Border Patrol in the immediately preceding 5 fiscal years;

(5) a weight-to-frequency rate, which compares the average weight of marijuana seized per seizure by the Border Patrol in any fiscal year to the average weight-to-frequency rate for the immediately preceding 5 fiscal years;

(6) the number of high-risk cargo containers entering the United States, the Department of Defense, and the Department of Justice, to ensure that authoritative data sources are utilized.

(C) MANNER OF COLLECTION.—The data used by the Secretary shall be collected and reported in a consistent and standardized manner, including—

(1) an effectiveness rate, which compares the number of funded flight hours flown by the Department to the number of actual flight hours flown by such Office;

(2) the number of subjects detected by the Office of Air and Marine through the use of unmanned aerial systems and manned aircraft;

(3) an apprehension rate, which compares the ratio of the number and type of illicit drugs seized by the Office of Field Operations in any fiscal year to the average of the amount and type of illicit drugs seized by the Office of Field Operations in the immediately preceding 5 fiscal years;

(4) the number of interceptions of high-risk cargo containers scanned by the Office of Field Operations at each United States seaport during the fiscal year to the total number of high-risk cargo containers entering the United States at each seaport during the previous fiscal year;

(5) the percentage of high-risk cargo scanned at—

(i) upon arrival at a United States seaport before entering United States commerce; and

(ii) before being laden on a vessel destined for the United States.

(B) METRICS CONSULTATION.—In developing the metrics required under subparagraph (A), the Secretary shall—

(i) consult with the appropriate components of the Department; and

(ii) as appropriate, work with other agencies, including the Office of Refugee Resettlement of the Department of Health and Human Services and the Executive Office for Immigration Review of the Department of Justice, to ensure that authoritative data sources are utilized.

(C) MANNER OF COLLECTION.—The data used by the Secretary shall be collected and reported in a consistent and standardized manner across all Border Patrol sectors, informed by situational awareness.

(3) METRICS FOR SECURING THE BORDER AT ENTRANCE POINTS.—

(A) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Secretary shall develop metrics, informed by situational awareness, to measure the effectiveness of security at ports of entry. The Secretary shall annually implement the metrics developed under this subsection, which shall include—

(i) estimates, using alternative methodologies, including survey data and randomized secondary screening data, of—

(1) total attempted inadmissible border crossings;

(2) the rate of apprehension of attempted inadmissible border crossings; and

(3) the number of unlawful entries;

(II) the amount and type of illicit drugs seized by the Office of Field Operations at United States land, air, and sea ports during the previous fiscal year;

(III) an illegal border crossing effectiveness rate for drugs seized by the Office of Field Operations, which compares the ratio of the amount and type of illicit drugs seized by the Office of Field Operations in any fiscal year to the average of the amount and type of illicit drugs seized by the Office of Field Operations in the immediately preceding 5 fiscal years;

(iv) consultation with the Office of National Drug Control Policy and the United States Southern Command, a cocaine seizure effectiveness rate is the percentage resulting from dividing—

(I) the amount of cocaine seized by the Office of Field Operations; and

(II) the total estimated cocaine flow rate at ports of entry along the land border;

(v) the number of infractions related to travelers and cargo committed by major violators, which compares the amount of cocaine removed by the Department’s maritime security components to the total documented cocaine flow rate, as contained in Performance Data Reporting System, the Office’s database for drug seizures;

(vi) a response rate, which compares the ability of the maritime security components of the Department to respond to and resolve actionable maritime threats, whether inside or outside the Western Hemisphere transit zone, by targeting threats detected by them, and of those threats detected, the total number of maritime threats interdicted or disrupted;

(B) METRICS CONSULTATION.—In developing the metrics required under subparagraph (A), the Secretary shall—

(i) consult with the appropriate components of the Department; and

(ii) as appropriate, work with other agencies, including the Drug Enforcement Agency, the Department of Defense, and the Department of Justice, to ensure that authoritative data sources are utilized.

(C) MANNER OF COLLECTION.—The data used by the Secretary shall be collected and reported in a consistent and standardized manner, informed by situational awareness.

(5) AIR AND MARINE SECURITY METRICS IN THE UNITED STATES.—

(A) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Secretary shall develop metrics, informed by situational awareness, to measure the effectiveness of the aviation assets and operations of the Office of Air and Marine of U.S. Customs and Border Protection.

(B) METRICS CONSULTATION.—In developing the metrics required under subparagraph (A), the Secretary shall—

(i) consult with the appropriate components of the Department; and

(ii) as appropriate, work with other agencies, including the Office of Air and Marine, to ensure that authoritative data sources are utilized.

(C) MANNER OF COLLECTION.—The data used by the Secretary shall be collected and reported in a consistent and standardized manner across all field offices, informed by situational awareness.

(4) METRICS FOR SECURING THE MARITIME BORDER.—

(A) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Secretary shall develop metrics, informed by situational awareness, to measure the effectiveness of security in the maritime environment. The Secretary shall annually implement the metrics developed under this subsection, which shall include—

(i) situational awareness achieved in the maritime environment;

(ii) an undocumented migrant interception rate, which compares the number of migrants intercepted at sea to the total known migrant flow;
use of unmanned aerial systems and manned aircrafts;
(vii) the number and quantity of illicit drug seizures assisted by the Office of Air and Marine through the use of unmanned aerial systems and manned aircrafts; and
(viii) the number of times that usable intelligence related to border security was obtained through the use of unmanned aerial systems and manned aircraft.

(B) Metrics Consultation.—In developing the metrics required under subparagraph (A), the Secretary shall—
(i) consult with the appropriate components of the Department; and
(ii) as appropriate, work with other agencies, departments, the Office of the Director of National Intelligence, and the Justice Department to ensure that authoritative data sources are utilized.

(C) Manner of Collection.—The data used by the Secretary shall be collected and reported in a consistent and standardized manner, informed by situational awareness.

(d) Data Transparency.—The Secretary shall—
(1) in accordance with applicable privacy laws, make data related to apprehensions, inadmissible aliens, drug seizures, and other enforcement activities available to the public, academic research, and law enforcement communities; and
(2) provide the Office of Immigration Statistics with unfettered access to the data described in paragraph (1).

(e) Evaluation by the Government Accountability Office and the Secretary of Homeland Security.—

(1) Metrics Report.—

(A) Mandatory Disclosures.—The Secretary shall submit an annual report containing the metrics required under paragraph (5) of subsection (c) and the data and methodology used to develop such metrics to—
(i) the appropriate congressional committees; and
(ii) the Comptroller General of the United States.

(B) Permissible Disclosures.—The Secretary, for the purpose of validation and verification, may submit the annual report described in subparagraph (A) to—
(i) the Center for Border Security and Immigration;
(ii) the head of a national laboratory within the Department’s laboratory network with prior approval by the Secretary; and
(iii) a Federally Funded Research and Development Center sponsored by the Department.

(2) GAO Report.—Not later than 270 days after receiving the first report under paragraph (1)(A), and biennially thereafter for the following 10 years, the Comptroller General of the United States, shall submit a report to the appropriate congressional committees that—
(i) analyzes the suitability and statistical validity of the data and methodology contained in such report; and
(ii) includes recommendations to Congress on—
(A) the feasibility of other suitable metrics that may be used to measure the effectiveness of border security; and
(B) improvements that need to be made to the metrics being used to measure the effectiveness of border security.

(3) State of the Border Report.—Not later than 60 days after the end of each fiscal year through fiscal year 2025, the Secretary shall submit a “State of the Border” report to the appropriate congressional committees that—
(A) provides trends for each metric under paragraphs (2) through (5) of subsection (c) for the last 10 years, to the extent possible;
(B) provides selected analysis into related aspects of illegal flow rates, including legal flows and stock estimation techniques; and
(C) includes any other information that the Secretary determines appropriate.

(4) Metrics Update.—

(A) IN GENERAL.—After submitting the final report to the Comptroller General under paragraph (3), the Secretary may re-evaluate and update any of the metrics required under paragraphs (2) through (5) of subsection (c) to ensure that such metrics—
(i) meet the Department’s performance management needs; and
(ii) are suitable to measure the effectiveness of border security.

(B) Notification.—Not later than 30 days before updating the metrics under subparagraph (A), the Secretary shall notify the appropriate congressional committees of such updates.

SEC. 6302. ANNUAL HOMELAND SECURITY ASSESSMENT.

(a) IN GENERAL.—Title II of the Homeland Security Act of 2002 (6 U.S.C. 121 et seq.) is amended by adding at the end the following:

‘‘SEC. 210G. ANNUAL HOMELAND SECURITY ASSESSMENT.

(1) DEPARTMENT ANNUAL ASSESSMENT.—

(I) IN GENERAL.—Not later than March 31 of each year beginning in the year after the enactment of this Act, and each year thereafter for 7 years, the Under Secretary for Intelligence and Analysis shall prepare and submit to the congressional homeland security committees a report assessing the current threats to homeland security and the capability of the Department to address those threats.

(II) FORM OF REPORT.—In carrying out paragraph (1), the Under Secretary for Intelligence and Analysis shall submit an unclassified report, and as necessary, a classified annex.

(II) OFFICE OF INSPECTOR GENERAL ANNUAL ASSESSMENT.—Not later than 90 days after the date on which a report required under subsection (a) is submitted to the congressional homeland security committees, the Inspector General of the Department shall prepare and submit to the congressional homeland security committees a report, which shall include an assessment of the capability of the Department to address the threats identified in such report, and recommendations for actions to mitigate those threats.

(B) TECHNICAL AND CONFORMING AMENDMENTS.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135), as amended by this Act, is amended by inserting after the item related to section 210F the following:

“Sec. 210G. Annual homeland security assessment.”

SEC. 6303. DEPARTMENT TRANSPARENCY.

(a) Feasibility Study.—The Administrator of the Federal Emergency Management Agency shall initiate a study to determine the feasibility of gathering data and providing information to Congress on the use of Federal grant awards, for expenditures of more than $5,000, by entities that receive a Federal grant, including, but not limited to, the Urban Area Security Initiative and the State Homeland Security Grant Program under sections 2003 and 2004 of the Homeland Security Act of 2002 (6 U.S.C. 121 et seq.).

(b) Report.—Not later than 1 year after the date of enactment of this Act, the Admin-
“(2) REQUIREMENT.—To the fullest extent possible, the tracking of a project required under paragraph (1) shall continue for the 3-year period beginning on the date on which the project is determined from research and development to practice.

“(3) INDICATORS.—The indicators developed and tracked under this subsection shall be included in the list required under subsection (a).

“(d) DEFINITIONS.—In this section:

“(1) ALL APPROPRIATE DETAILS.—The term ‘all appropriate details’ means—

“(A) the name of the project, including both classified and unclassified names if applicable;

“(B) the name of the component carrying out the project;

“(C) an abstract or summary of the project;

“(D) funding levels for the project;

“(E) project duration or timeline;

“(F) the name of each contractor, grantee, or cooperative agreement partner involved in the project;

“(G) expected objectives and milestones for the project; and

“(H) to the maximum extent practicable, relevant literature and patents that are associated with the project.

“(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘appropriate congressional committees’ means—

“(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

“(B) the Committee on Homeland Security of the House of Representatives; and

“(C) the Committee on Oversight and Government Reform of the House of Representatives.

“(3) CLASSIFIED.—The term ‘classified’ means any information containing—

“(A) classified national security information as defined in section 6.1 of Executive Order 13526 (50 U.S.C. 3610) or any successor order;

“(B) Restricted Data or data that was formerly Restricted Data, as defined in section 11Y. of the Atomic Energy Act of 1954 (42 U.S.C. 2014(y));

“(C) material classified at the Sensitive Compartmented Information (SCI) level as defined in section 36 of the Intelligence Authorization Act for Fiscal Year 2001 (50 U.S.C. 3145); or

“(D) information relating to a special access program, as defined in section 6.1 of Executive Order 13526 (50 U.S.C. 3610) or any successor order.

“(4) CONTROLLED UNCLASSIFIED INFORMATION.—The term ‘controlled unclassified information’ means information described as ‘Controlled Unclassified Information’ under Executive Order 13556 (50 U.S.C. 3501) or any successor order.

“(5) PROJECT.—The term ‘project’ means a research or development project, program, or activity administered by the Department, whether ongoing, completed, or otherwise terminated.

“(b) TECHNICAL AND CONFORMING AMENDMENTS.—The table of contents in section 1(b) of the National Bio and Agro-Defense Facility Act (6 U.S.C. 454) is amended—

“(1) in the section heading, by striking ‘National Bio and Agro-Defense’ and inserting ‘National Bio and Agro-Defense Facility’; and

“(2) by striking subsection (a) and inserting the following:

“(a) IN GENERAL.—Not later than 60 days after the date on which the President is submitted to Congress under section 1105(a) of title 31, United States Code, a report by the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security and Governmental Affairs of the House of Representatives (referred to in this section as the ‘appropriate committees’) of a Future Years Homeland Security Program that covers the fiscal year for which the budget is submitted and the 4 succeeding fiscal years; and

“(3) by striking subsection (c) and inserting the following:

“PROJECTION OF ACQUISITION ESTIMATES.—On and after February 1, 2018, each Future Years Homeland Security Program shall project—

“(1) acquisition estimates for the fiscal year for which the budget is submitted and the 4 succeeding fiscal years, with specific estimates for each fiscal year, for all major acquisitions by the Department and each component of the Department; and

“(2) estimated annual deployment schedules for all physical asset major acquisitions for the 5-fiscal-year period described in paragraph (1) and the full operating capability for all information technology major acquisitions.

“(c) SECURITY AND CLASSIFIED INFORMATION.—The Secretary may include with each Future Years Homeland Security Program a classified or other appropriately controlled document containing any information required to be submitted under this section that is restricted from public disclosure in accordance with Federal law or any Executive Order.

“(d) AVAILABILITY OF INFORMATION TO THE PUBLIC.—The Secretary shall make available to the public in electronic form information required to be submitted to the appropriate committees under this section, other than information described in subsection (b).

“(e) REPORTS.—The Secretary shall submit to the congressional homeland security committees a report on the construction of the National Bio and Agro-Defense Facility that includes—

“(1) a review of the status of the construction of the National Bio and Agro-Defense Facility, including—

“(A) current cost and schedule estimates; and

“(B) any revisions to previous estimates described in clause (i); and

“(ii) total obligations to date;

“(3) total obligations to date;

“(b) REVIEW.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall initiate a review of and submit to Congress a report on the construction and future planning of the National Bio and Agro-Defense Facility, which shall include—

“(1) the extent to which cost and schedule estimates for the project conform to capital planning leading practices as determined by the Comptroller General; and

“(2) the extent to which the project’s planning, budgeting, acquisition, and proposed management in use conform to capital planning leading practices as determined by the Comptroller General.

“(b) TECHNICAL AND CONFORMING AMENDMENTS.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135), as amended by this Act, is amended by striking the item relating to section 874 and inserting the following:

“Sec. 874. Future Years Homeland Security Program.”.

“(c) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply with respect to each fiscal year beginning after the date of enactment of this Act.

“(d) QUADRENNIAL HOMELAND SECURITY REVIEW.—

“(a) IN GENERAL.—Section 707 of the Homeland Security Act of 2002 (6 U.S.C. 347) is amended—

“(1) in subsection (b)—

“(B) in paragraph (5), by striking ‘‘and’’ at the end;

“(b) in paragraph (6), by striking the period and inserting ‘‘;’’; and

“(c) by adding at the end the following:

“(2) review available capabilities and capacities across the homeland security enterprise and identify redundant, wasteful, or unnecessary capabilities and capacities from which resources can be redirected to better support other existing capabilities and capacities;”;

“(2) in subsection (c)—

“(B) by striking paragraph (1) and inserting the following:

“(1) IN GENERAL.—Not later than 60 days after the date on which the budget of the President is submitted to Congress under section 1105 of title 31, United States Code, for the fiscal year after the fiscal year in
which a quadrennial homeland security review is conducted under subsection (a)(1), the Secretary shall submit to Congress a report on the quadrennial homeland security review. 

(b) In paragraph (2)—
(i) in subparagraph (H), by striking “and” at the end;
(ii) by redesignating subparagraph (I) as subparagraph (L); and
(iii) by inserting after subparagraph (H) the following:

“(K) if appropriate, a classified or other appropriately controlled document containing any information required to be submitted under this paragraph that is restricted from public disclosure in accordance with Federal law, including information that is not publicly releasable; and”.

SEC. 6009. REPORTING REDUCTION.

(a) COUNTERNARCOTICS ANNUAL BUDGET REVIEW AND EVALUATION OF COUNTERNARCOTICS ACTIVITIES REPORT.—Section 678 of the Homeland Security Act of 2002 (6 U.S.C. 456) is amended by striking subsection (d); and inserting “biennial”.

(b) OFFICE OF COUNTERNARCOTICS SEIZURE REPORT.—Section 706(a) of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1704(a)) is amended by striking paragraph (3).

(c) ANNUAL REPORT ON ACTIVITIES OF THE NATIONAL NUCLEAR DETECTION OFFICE.—Section 902(a)(13) of the Homeland Security Act of 2002 (6 U.S.C. 592(a)(13)) is amended by striking “an annual” and inserting “a biennial”.

(d) JOINT ANNUAL INTERAGENCY REVIEW OF GLOBAL NUCLEAR DETECTION ARCHITECTURE.—Section 907 of the Homeland Security Act of 2002 (6 U.S.C. 596a) is amended—

(1) in subsection (a)—
(A) in the subsection heading, by striking “ANNUAL” and inserting “BIENNIAL”;
(B) in paragraph (1)—
(i) in the matter preceding subparagraph (A), by striking “once each year”— and inserting “once every other year”—; and
(ii) in subparagraph (A), by striking “the previous year” and inserting “the previous 2 years”;
and
(2) in subsection (b)—
(A) in the subsection heading, by striking “ANNUAL” and inserting “BIENNIAL”;
(B) in paragraph (1), by striking “of each year,” and inserting “of every other year,”; and
(C) in paragraph (2), by striking “annual” and inserting “biennial”.

SEC. 6100. ADDITIONAL DEFINITIONS.

Section 2 of the Homeland Security Act of 2002 (6 U.S.C. 101) is amended—

(1) by redesignating paragraphs (13) through (18) as paragraphs (17) through (22), respectively;

(2) in redesignating paragraphs (9) through (12) as paragraphs (12) through (15), respectively

(3) by redesignating paragraphs (4) through (8) as paragraphs (6) through (10), respectively;

(4) by redesignating paragraphs (1), (2), and (3) as paragraphs (2), (3), and (4), respectively;

(5) by inserting before paragraph (1) the following:

“(d) The term ‘acquisition’ has the meaning given in the term in section 131 of title 41, United States Code.”;

(6) in paragraph (3), as so redesignated—
(A) by inserting “(A)” after “(3)”;
and

(B) by adding at the end the following:

“(B) The term ‘cascading homeland security committees’ means—

(i) the Committee on Homeland Security and Governmental Affairs of the Senate;

(ii) the Homeland Security Subcommittee of the Committee on Appropriations of the Senate; and

(iii) the Homeland Security Subcommittee of the Committee on Appropriations of the House of Representatives.”;

(c) SEC. 6101. TITLES.—The following:

“(A) Identifying and validating needs;

(B) assessing alternatives to select the most appropriate solution;

(C) clearly establishing well-defined requirements;

(D) developing realistic cost assessments and schedules;

(E) planning stable funding that matches resources to requirements;

(F) demonstrating technology, design, and manufacturing maturity;

(G) using milestones and exit criteria or specific accomplishments that demonstrate progress;

(H) adopting and executing standardized processes with known success across programs;

(I) establishing an adequate workforce that is qualified and sufficient to perform necessary functions; and

(J) integrating capabilities into the mission and business operations of the Department’;

(2) by inserting after paragraph (10), as so redesignated, the following:

“(ii) The term ‘homeland security enterprise’ means all relevant governmental and nongovernmental entities involved in homeland security, including Federal, State, local, tribal, and territorial government officials, private sector representatives, academia, and other policy experts.”;

and

(3) by inserting after paragraph (15), as so redesignated, the following:

“(C) Telework;

(D) an agency should prioritize and expeditiously conclude an investigation in which an employee is placed in administrative leave so that, not later than the conclusion of the leave period—

(A) the employee is returned to duty status; or

(B) an appropriate personnel action is taken with respect to the employee;

(4) by adding at the end the following:

“§6329a. Administrative leave

(a) DEFINITIONS.—In this section—

(1) the term ‘administrative leave’ means—

(A) without loss of pay or reduction in—

(i) pay;

(ii) leave to which an employee is otherwise entitled under law; or

(iii) credit for time or service; and

(B) that is not authorized under any other provision of law;

(2) the term ‘agency’—

(A) means an Executive agency (as defined in section 105 of this title); and

(B) does not include the Government Accountability Office; and

(3) the term ‘employee’—

(A) has the meaning given the term in section 2105; and

(B) does not include an intermittent employee who does not have an established regular tour of duty during the administrative workweek;

(b) ADMINISTRATIVE LEAVE.—

(1) IN GENERAL.—An agency may place an employee in administrative leave for a period of not more than 5 consecutive days.

(2) RULE OF CONSTRUCTION.—Nothing in paragraph (1) shall be construed to limit the use of leave that is—

(A) specifically authorized under law; and

(B) not administrative leave.

(3) REGULATIONS.—An agency shall adopt regulations authorizing the use of leave and limit the use of leave to—

(A) one or more of the uses that are authorized by subsection (a); and

(B) if authorized under any other provision of law; and

(c) REGULATIONS.—

(1) OPM REGULATIONS.—Not later than 1 year after the date of enactment of this section, the Director of the Office of Personnel Management shall—

(2) by inserting after paragraph (16), as so redesignated, the following:

“(A) return to duty status; or

(B) challenge the decision of the agency;

(6) data show that there are too many examples of employees placed in administrative leave for 6 months or longer, leaving the employees without any available recourse to—

(A) return to duty status; or

(B) challenge the decision of the agency;

(4) by adding at the end the following:

“§6336a. Temporary reassignment

(a) DEFINITIONS.—In this section—

(1) the term ‘temporary reassignment’ means—

(A) return to duty status; or

(B) challenge the decision of the agency;

(6) an agency should ensure accurate and consistent recording of the use of administrative leave so that administrative leave can be managed and overseen effectively; and

(7) other forms of excused absence authorized by law should be recorded separately from administrative leave, as defined by the amendments made by this section.

(b) ADMINISTRATIVE LEAVE.—

(1) IN GENERAL.—Subchapter II of chapter 63 of title 5, United States Code, is amended by adding at the end the following:

(2) by inserting after paragraph (16), as so redesignated, the following:
(A) prescribe regulations to carry out this section; and
(B) prescribe regulations that provide guidance to agencies regarding—
(i) the proper recording of—
(II) administrative leave; and
(ii) other leave authorized by law.
(2) AGENCY ACTION.—Not later than 1 year after the date on which the Director of the Office of Personnel Management prescribes regulations under paragraph (1), each agency shall revise and implement the internal policies of the agency to meet the requirements of this section.
(d) RELATION TO OTHER LAWS.—Notwithstanding subsection (a) of section 7421 of title 5, this section shall apply to an employee described in subsection (b) of that section.
(2) OPM STUDY.—Not later than 120 days after the date of enactment of this Act, the Director of the Office of Personnel Management, in consultation with Federal agencies, groups representing Federal employees, and other relevant stakeholders, shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives a report that includes—
(i) the policies of each agency to meet the requirements under paragraph (1), each agency
(ii) the impact on the operation of the Office of Personnel Management; and
(iii) the impact on employee and agency operations.
(3) TECHNICAL AND CONFORMING AMENDMENTS.—The table of sections for chapter II of title 5, United States Code, is amended by inserting after the item relating to section 6502 the following: ‘‘8329b. Administrative leave.’’
(d) IN GENERAL.—Subchapter II of chapter 63 of title 5, United States Code, as amended by this section, is further amended by adding at the end the following:
‘‘8329b. Investigative leave and notice leave
‘‘(a) DEFINITIONS.—In this section—
‘‘(1) the term ‘agency’—
(A) means an Executive agency (as defined in this title); and
(B) does not include the Government Accountability Office;
‘‘(2) the term ‘Chief Human Capital Officer’ means—
(A) the Chief Human Capital Officer of an agency designated or appointed under section 1401; or
(B) the equivalent;
‘‘(3) the term ‘committees of jurisdiction’, with respect to an agency, means each committee in the Senate and House of Representatives with jurisdiction over the agency;
‘‘(4) the term ‘Director’ means the Director of the Office of Personnel Management;
‘‘(5) the term ‘employee’—
(A) has the meaning given the term in section 2105; and
(B) does not include—
(i) an employee whose position is held by a person who does not have an established regular tour of duty during the administrative workweek; or
(ii) the Inspector General of an agency;
‘‘(6) the term ‘investigative leave’ means—
(A) without loss of or reduction in—
(i) pay;
(ii) leave to which an employee is otherwise entitled under law; or
(iii) credit for time or service; or
(B) that is not authorized under any other provision of law; and
(C) in which an employee who is in a notice period is placed;
‘‘(7) the term ‘notice leave’ means—
(A) without loss of or reduction in—
(i) pay;
(ii) leave to which an employee is otherwise entitled under law; or
(iii) credit for time or service; or
(B) that is not authorized under any other provision of law; and
(C) in which an employee who is in a notice period is placed;
‘‘(8) the term ‘notice period’ means a period beginning on the date on which an employee is provided with advance notice before taking action against the employee and ending on the date on which an agency makes a final determination; or
‘‘(B) LEAVE FOR EMPLOYEES UNDER INVESTIGATION OR IN A NOTICE PERIOD.—
(I) AUTHORITY.—An agency may, in accordance with paragraph (2), place an employee in—
(A) investigative leave if the employee is the subject of an investigation;
(B) notice leave if the employee is in a notice period; or
(C) notice leave following a placement in investigative leave as of, not later than the day after the last day of the period of investigation—
(i) the employee proposes or initiates an adverse action against an employee; and
(ii) the agency determines that the employee continues to meet 1 or more of the criteria described in subsection (c)(1).
‘‘(2) Requirements.—If an agency places an employee in leave under paragraph (1) only if the agency—
(A) made a determination with respect to the employee under section (c)(1); and
(B) considered the available options for the employee under subsection (c)(2); and
(C) determined that none of the available options under subsection (c)(2) is appropriate.
‘‘(C) EMPLOYEES UNDER INVESTIGATION OR IN A NOTICE PERIOD.—
(I) DETERMINATIONS.—An agency may not place an employee in investigative leave or notice leave under subsection (b) unless the continued presence of the employee in the workplace during an investigation of the employee or while the employee is in a notice period, if applicable, may—
(A) pose a threat to the employee or others;
(B) result in the destruction of evidence relevant to an investigation;
(C) result in harm or damage to Government property or
(D) otherwise jeopardize legitimate Government interests.
‘‘(2) AVAILABLE OPTIONS FOR EMPLOYEES UNDER INVESTIGATION OR IN A NOTICE PERIOD.—After making a determination under paragraph (1) with respect to an employee, and before placing an employee in investigative leave or notice leave under subsection (b), an agency shall consider taking 1 or more of the following actions:
(A) Assigning the employee to duties in which the employee is no longer a threat to—
(I) safety;
(II) the mission of the agency;
(III) Government property; or
(IV) evidence relevant to an investigation;
(B) allowing the employee to take leave for which the employee is eligible;
(C) Requiring the employee to telework under section 6502(c);
(D) otherwise jeopardize legitimate Government interests.
‘‘(2) MAXIMUM NUMBER OF EXTENSIONS.—The period of investigative leave or notice leave may not exceed 110 days.
‘‘(3) DURATION OF LEAVE.—
‘‘(A) INVESTIGATIVE LEAVE.—Subject to extensions of a period of investigative leave for which an employee may be eligible under subsections (d) and (e), the initial placement of an employee in investigative leave shall be for a period not longer than 10 days.
‘‘(B) NOTICE LEAVE.—Placement of an employee in investigative leave or notice leave may not extend for a period not longer than the duration of the notice period.
‘‘(4) EXPLANATION OF LEAVE.—
‘‘(A) IN GENERAL.—If an agency places an employee in leave under subsection (b), the agency shall provide the employee a written explanation of the leave placement and the reasons for the leave placement.
‘‘(B) EXPLANATION.—The written notice under subparagraph (A) shall describe the limitations of the leave placement, including—
(i) the applicable limitations under paragraph (3); and
(ii) in the case of a placement in investigative leave, an explanation that, at the conclusion of the period of leave, the agency shall take an action under paragraph (5).
‘‘(5) AGENCY ACTION.—Not later than the day after the last day of a period of investigative leave for an employee under subsection (b)(1), an agency shall—
(A) return the employee to regular duty status;
(B) take 1 or more of the actions authorized under paragraph (2), meaning—
(i) assigning the employee to duties in which the employee is no longer a threat to—
(I) safety;
(II) the mission of the agency;
(III) Government property; or
(IV) evidence relevant to an investigation;
(ii) allowing the employee to take leave for which the employee is eligible;
(iii) requiring the employee to telework under section 6502(c);
(iv) if the employee is absent from duty without approved leave, carrying the employee in absence without leave status; or
(v) for an employee subject to a notice period, curtailing the notice period if there is reasonable cause to believe the employee has committed a crime for which a sentence of imprisonment may be imposed;
(C) propose or initiate an adverse action against the employee as provided under law;
(D) extend the period of investigative leave under subsections (d) and (e).
‘‘(6) RULES OF CONSTRUCTION.—Nothing in paragraph (5) shall be construed to prevent the continued investigation of an employee, except that the placement of an employee in investigative leave may not be extended for the same purpose except as provided in subsections (d) and (e).
‘‘(d) INITIAL EXTENSION OF INVESTIGATIVE LEAVE.—
‘‘(1) IN GENERAL.—Subject to paragraph (4), if the Chief Human Capital Officer of an agency, or the designee of the Chief Human Capital Officer, approves such an extension after consulting with the investigator responsible for conducting the investigation to which an employee is subject, the agency may extend the period of investigative leave for the employee under subsection (b) for not more than 30 days.
‘‘(2) MAXIMUM NUMBER OF EXTENSIONS.—The total period of additional investigative leave for an employee under paragraph (1) may not exceed 110 days.
‘‘(3) DESIGNATION GUIDANCE.—Not later than 1 year after the date of enactment of this Act, the Chief Human Capital Officer of an agency shall issue guidance to ensure that if the Chief Human Capital Officer of an
agency delegates the authority to approve an extension under paragraph (1) to a designee, the designee is at a sufficiently high level within the agency to make an impartial and independent determination regarding the extension.

(4) EXTENSIONS FOR OPT EMPLOYEES.—

(A) APPROVAL.—In the case of an employee, on the request of the Inspector General—

(i) the Inspector General or the designee of the Inspector General, other than the Chief Human Capital Officer or the designee of the Chief Human Capital Officer, shall approve an extension of a period of investigative leave for the employee under paragraph (1); or

(ii) at the request of the Inspector General, the head of the agency within which the Office of Inspector General is located shall designate an official of the agency to approve an extension of a period of investigative leave for the employee under paragraph (1).

(B) GUIDANCE.—Not later than 1 year after the date of enactment of this section, the Council of the Inspectors General on Integrity and Efficiency shall issue guidance to ensure that the Inspector General or the head of an agency, at the request of the Inspector General, delegates the authority to approve an extension under subparagraph (A) to an official of the agency, if the designee is at a sufficiently high level within the Office of Inspector General or the agency, as applicable, to make an impartial and independent determination regarding the extension.

(e) FURTHER EXTENSION OF INVESTIGATIVE LEAVE.—

(1) IN GENERAL.—After reaching the limit under subsection (d)(2), an agency may further extend a period of investigative leave for an employee for a period of not more than 60 days if, before the further extension begins, the designee is at a sufficiently high level within the Office of Inspector General or the agency, as applicable, to make an impartial and independent determination regarding the extension.

(A) committees of jurisdiction;

(B) Committee on Homeland Security and Governmental Affairs of the Senate; and

(C) Committee on Oversight and Government Reform of the House of Representatives.

(2) NO LIMIT.—There shall be no limit on the number of further extensions that an agency may grant to an employee under paragraph (1).

(3) OPM REVIEW.—An agency shall request from the Director, and include with the notification required under paragraph (1), the opinion of the Director—

(A) with respect to whether to grant a further extension under this subsection, including the reasons for that opinion; and

(B) which shall not be binding on the agency.

(4) SUNSET.—The authority provided under this subsection shall expire on the date that is 6 years after the date of enactment of this section.

(f) CONSULTATION GUIDANCE.—Not later than 1 year after the date of enactment of this section, the Council of the Inspectors General on Integrity and Efficiency, in consultation with the Attorney General and the Special Counsel, shall issue guidance on best practices for consultation between an investigator and an agency on the need to place an employee in investigative leave during an investigation of the employee, including during a stroll, and shall consult with the Inspector General on the continued presence of the employee in the workplace during the investigation may—

(1) pose a threat to the employee or others;

(2) result in the destruction of evidence relevant to an investigation;

(3) result in loss of or damage to Government property; or

(4) otherwise jeopardize legitimate Government interests.

(g) RECORDS.—

(1) IN GENERAL.—An agency shall keep a record of the placement of an employee in investigative leave or notice leave by the agency, including—

(A) the basis for the determination made under subsection (c)(1); and

(B) an explanation of why an action under subsection (c)(2) was not appropriate; or

(C) the length of the period of leave;

(D) the amount of salary paid to the employee during the period of leave;

(E) the reasons for authorizing the leave, including, if applicable, the recommendation made by an investigator under subsection (d)(1); and

(F) the action taken by the agency at the end of the period of leave, if applicable, the granting of any extension of a period of investigative leave under subsection (d) or (e).

(2) AVAILABILITY OF RECORDS.—An agency shall make a record kept under paragraph (1) available to—

(A) any committee of Congress, upon request;

(B) to the Office of Personnel Management; and

(C) as otherwise required by law, including for the purposes of the Administrative Leave Act of 2016 and the amendments made by that Act.

(h) REGULATIONS.—

(1) OPM ACTION.—Not later than 1 year after the date of enactment of this section, the Director shall prescribe regulations to carry out this section, including guidance regarding—

(A) acceptable purposes for the use of—

(i) investigative leave; and

(ii) notice leave; and

(B) the proper recording of—

(i) the leave categories described in subparagraph (A); and

(ii) other leave authorized by law;

(C) baseline factors that an agency shall consider when making a determination that the continued presence of an employee in the workplace may—

(i) pose a threat to the employee or others;

(ii) result in the destruction of evidence relevant to an investigation;

(iii) result in loss of or damage to Government property;

(iv) otherwise jeopardize legitimate Government interests; and

(D) procedures and criteria for the approval of an extension of a period of investigative leave under subsection (d) or (e).

(2) AGENCY ACTION.—Not later than 1 year after the date on which the Director prescribed regulations under paragraph (1), each agency shall revise and implement the internal policies of the agency to meet the requirements of this section.

(3) REQUIRED TELEWORK.—Withstanding subsection (a) of section 7421 of title 38, this section shall apply to an employee described in subsection (b) of that section.

(4) PERSONNEL ACTION.—Section 2302(a)(2)(A) of title 5, United States Code, is amended—

(A) in clause (xi), by striking ’and’ at the end;

(B) by redesignating clause (xii) as clause (xiii); and

(C) by inserting after clause (xi) the following:

(xii) a determination made by an agency under subsection (f) that the continued presence of an employee in the workplace during an investigation of the employee or while the employee is in a notice period, if applicable, may—

(1) pose a threat to the employee or others;

(2) result in the destruction of evidence relevant to an investigation;

(III) result in loss of or damage to Government property; or

(4) otherwise jeopardize legitimate Government interests; and

(2) OMB REPORT.—Not later than 5 years after the date of enactment of this Act, the Comptroller General of the United States shall report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives on the results of an evaluation of the implementation of the authority provided under sections 6329b and 6329b of title 5, United States Code, as added by subsection (c)(1) and paragraph (1) of this subsection, respectively, including—

(A) an assessment of agency use of the authority provided under subsection (e) of such section 6329b, including data regarding—

(i) the number and length of extensions granted under that subsection; and

(ii) the number of times the Director of the Office of Personnel Management, under paragraph (3) of that subsection—

(I) concurred with the decision of an agency to grant an extension; and

(II) did not concur with the decision of an agency to grant an extension, including the basis for those opinions of the Director;

(B) recommendations to Congress, as appropriate, on the need for extensions beyond the extensions authorized under subsection (d) of such section 6329b; and

(C) a review of the practice of agency placement of an employee in investigative or notice leave under subsection (b) of such section 6329b because of a determination under subsection (c)(1) that the employee jeopardized legitimate Government interests, including the extent to which such determinations were supported by evidence.

(4) TECHNICAL AND CONFORMING AMENDMENTS.—The table of sections for subchapter II of chapter 63 of title 5, United States Code, is amended by adding at the end the following:

(3) GAO REPORT.—Not later than 5 years after the date of the Act, the Comptroller General of the United States, as amended by section 6329b of title 5, United States Code, is amended by inserting after the item relating to section 6329a, as added by this section, the following:

“6329b. Investigative leave and notice leave.”.

(e) LEAVE FOR WEATHER AND SAFETY ISSUES.

(1) IN GENERAL.—Subchapter II of chapter 63 of title 5, United States Code, as amended by this section, is further amended by adding at the end the following:

“§6329b. Weather and safety leave

(a) DEFINITIONS.—In this section—

(i) the term ‘agency’—

(I) means an Executive agency (as defined in section 105 of this title); and

(II) includes the Government Accountability Office;

(2) the term ‘employee”—
“(A) has the meaning given the term in section 2105; and
“(B) does not include an intermittent employee who does not have an established regular tempo of duty during the administrative workweek.

“(b) LEAVE FOR WEATHER AND SAFETY ISSUES.—An agency may approve the provision of leave described in subsection (a) to an employee or a group of employees without loss of or reduction in the pay of the employee or employees, leave to which the employee or employees are otherwise entitled, or credit to the employee or employees for time or service only if the employee or group of employees is prevented from safely traveling to or performing work at an approved location due to—
“(1) an act of God;
“(2) a terrorist attack;
“(3) another condition that prevents the employee or group of employees from safely traveling to or performing work at an approved location.

“(c) RECORDS.—An agency shall record leave provided under this section separately from leave authorized under any other provision of law.

“(d) REGULATIONS.—Not later than 1 year after the date of enactment of this section, the Secretary of Homeland Security, in consultation with the heads of relevant Federal agencies, shall promulgate regulations to carry out this section, including—
“(1) guidance to agencies regarding the appropriate purposes for providing leave under this section; and
“(2) the proper recording of leave provided under this section.

“(e) RELATION TO OTHER LAWS.—Notwithstanding subsection (a) of section 7421 of title 5, this section shall apply to an employee described in subsection (b) of that section.

“(f) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for subchapter II of chapter 63 of title 5, United States Code, is amended by inserting after the item relating to section 6239A, as added by this section, the following:

"6239c. Weather and safety leave.".

“(g) ADDITIONAL OVERSIGHT.—
“(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Director of National Intelligence shall report to the heads of the appropriate congressional committees on the implementation of this section. The report submitted under paragraph (1) shall—
“(A) contain an accounting and description of all Federal Government programs, projects, and activities designed to constrain domestic and international travel by terrorists and foreign fighters;
“(B) identify specific security vulnerabilities within the United States and outside of the United States that may be exploited by terrorists and foreign fighters;
“(C) delineate goals for—
“(1) closing the security vulnerabilities identified under subparagraph (B); and
“(2) enhancing the ability of the Federal Government to constrain domestic and international travel by terrorists and foreign fighters;
“(D) describe the actions that will be taken to achieve the goals delineated under subparagraph (C) and the means needed to carry out such actions, including—
“(1) steps to reform, improve, and streamline existing Federal Government efforts to align with the current threat environment;
“(2) new programs, projects, or activities that are requested, under development, or undergoing implementation;
“(3) new authorities to change existing authorities needed from Congress;
“(4) specific budget adjustments being requested to enhance United States security in a risk-based manner; and
“(5) the Federal departments and agencies responsible for the specific actions described in this subparagraph.

“(2) SUNSET.—The requirement to submit updated national strategies under this subsection shall terminate on the date that is 7 years after the date of enactment of this Act.

“(h) DEVELOPMENT OF IMPLEMENTATION PLANS.—For each national strategy required under subsection (b), the President shall—
“(1) direct the Secretary to develop an implementation plan for the Department; and
“(2) coordinate with the heads of other relevant Federal agencies to ensure the development of implementing plans for such agency.

“(i) DEVELOPMENT OF IMPLEMENTATION PLANS.—
“(1) IN GENERAL.—The President shall submit an implementation plan developed under paragraph (c) to the appropriate congressional committees with each national strategy required under subsection (b). Consistent with the protection of classified information, the strategy shall be submitted in unclassified form, but may include a classified annex.
SEC. 6004. NORTHERN BORDER THREAT ANALYSIS.

SEC. 973. MODERNIZATION OF SECURITY CLEARANCE INFORMATION TECHNOLOGY ARCHITECTURE.

SEC. 4369. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

(1) conduct a review of security clearance business processes and, to the extent practicable, modify such processes to maximize compatibility with the security clearance information technology tools used; and

(2) conduct business process mapping (as such term is defined in Title 10, United States Code) of the business processes described in paragraph (1);
ITEMS.—

and State and local law enforcement agencies; shall include items that—
defense items for purposes of this section if—

(i) Camouflage uniforms and clothing.
(ii) Fixed wing manned aircraft.
(iii) Rotary wing manned aircraft.
(iv) Unmanned aerial vehicles.
(v) Wheeled armored vehicles.
(vi) Wheeled tactical vehicles.
(vii) Specialized firearms and ammunition under .50-caliber.
(viii) Explosives and pyrotechnics, including explosive breathing tools.
(ix) Breaching apparatus.
(x) Riot batons.

(C) INTERPRETATION OF THIS SECTION.— Subparagraph (B) shall supersede the equipment lists issued pursuant to Executive Order 13988.

(D) LIST OF CONTROLLED DEFENSE ITEMS TREATABLE AS ELIGIBLE DEFENSE ITEMS.— The Secretary of Defense shall, acting through the Director of the Defense Logistics Agency and in consultation with the Working Group established by Executive Order 13988, maintain, and periodically update, a list of controlled defense items that are currently appropriate for treatment as eligible defense items for purposes of this section. The list shall be established and maintained in accordance with paragraph (1) for purposes of this section under subsection (g).

(2) CONTROLLED DEFENSE ITEMS NOT ELIGIBLE FOR TREATMENT.—

(A) IN GENERAL.— A controlled defense item may not be treated as an eligible defense item for purposes of this section if—

(i) the item is made exclusively for the military; and
(ii) the item, or a substantially similar item, cannot be purchased by State or local law enforcement agencies in the private sector even after the item is demilitarized.

(B) INITIAL PROHIBITED ITEMS.—Unless and until determined otherwise by the Secretary for purposes of this section, the controlled defense items that may not be treated as eligible defense items for purposes of this section are the following:

(1) Tracked armored vehicles.
(2) Weaponized aircraft, vessels, and vehicles of any kind.
(3) Firearms of .50-caliber or higher.
(4) Ammunition for .50-caliber or higher.
(5) Grenades, flash bang grenades, grenade launchers, and grenade launcher attachments.
(6) Bayonets.
(7) Mine Resistant Ambush Protected (MRAP) vehicles.
(8) Tasers developed primarily for use by the military.

(C) INTERPRETATION OF THIS SECTION.— Subparagraph (B) shall supersede the equipment lists issued pursuant to Executive Order 13988.

(D) LIST OF CONTROLLED ITEMS NOT TREATABLE AS ELIGIBLE DEFENSE ITEMS.— The Secretary shall, acting through the Director of the Defense Logistics Agency and in consultation with the Working Group established pursuant to Executive Order 13988, maintain, and periodically update, a list of controlled defense items that are currently prohibited from treatment as eligible defense items for purposes of this section.

(3) RETURN OF ITEMS NOT TREATED AS ELIGIBLE DEFENSE ITEMS NOT IMMEDIATELY REQUIRED.—

(A) RETURN OF INITIAL PROHIBITED ITEMS NOT GENERALLY REQUIRED.—The regulations for purposes of this section shall provide that a law enforcement agency in possession of a controlled defense item that is no longer eligible for treatment as an eligible defense item pursuant to paragraph (2)(D) shall not be required to return such item to the Department pursuant to Executive Order 13988.

(B) RETURN OF ITEMS SUBSEQUENTLY TREATED AS NOT ELIGIBLE NOT REQUIRED.—The regulations for purposes of this section shall provide that a law enforcement agency in possession of a controlled defense item that is no longer eligible for treatment as an eligible defense item pursuant to paragraph (2)(D) shall not be required to return such item to the Department pursuant to Executive Order 13988.

SA 4370. Mr. KIRK submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

After section 1026, insert the following:

TITLE 10: ARMED FORCES

SECTION 1026A. ADDITIONAL COUNTRIES UNDER PROHIBITION ON USE OF FUNDS TO TRANSFER OR RELEASE TO CERTAIN COUNTRIES INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

Section 1033 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 129 Stat. 968), as amended by section 1026 of this Act, is further amended by adding at the end the following new paragraphs:

(5) Iran.
(6) Sudan.

SA 4371. Mrs. McCASKILL submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1033(a) and insert the following:

(a) Section 2576a of title 10, United States Code, is amended by adding at the end the following new sub-paragraphs:

(2)(D) shall not be required to return such item to the Department pursuant to Executive Order 13988.

(B) PROHIBITION ON REQUIREMENT FOR TIMELY USE OF TRANSFERRED ITEMS.—The regulations for purposes of this section may not require the use of an eligible defense item transferred under this section within one year of the receipt of the item by the requesting State or local law enforcement agency concerned.

(C) NOTICE ON REQUESTS FOR TRANSFERS TO STATE AND LOCAL OFFICIALS.—

(1) IN GENERAL.—Except as provided in paragraph (2), a State or local law enforcement agency requesting transfer of an eligible defense item is not required to comply with paragraph (1) if the request is for an active undercover operation.

(B) ALTERNATIVE NOTICE REQUIREMENT.—A State or local law enforcement agency responding to a request for transfer of an eligible defense item under this section, without pursuant to interagency transfer under subsection (t), unless the law enforcement agency has provided notice of the request to the head and legislative body of the State or political subdivision of a State of which the law enforcement agency is an agency.

(2) EXCEPTION.—A State or local law enforcement agency requesting transfer of an eligible defense item is not required to comply with paragraph (1) if the item is for an active undercover operation.

(B) ALTERNATIVE NOTICE REQUIREMENT.—A State or local law enforcement agency responding to a request for transfer of an eligible defense item under this section, without pursuant to interagency transfer under subsection (t), unless the law enforcement agency has provided notice of the request to the head and legislative body of the State or political subdivision of a State of which the law enforcement agency is an agency.

(C) INTERPRETATION OF THIS SECTION.— Subparagraph (B) shall supersede the equipment lists issued pursuant to Executive Order 13988.

(1) ITEMS FOR UNDERCOVER OPERATIONS.— A State or local law enforcement agency requesting transfer of an eligible defense item for purposes of this section is not required to comply with paragraph (1) if the item is for an active undercover operation.

(2) TRANSITION REQUIREMENTS.—

(A) MINIMUM TRAINING REQUIREMENTS FOR LAW ENFORCEMENT OFFICERS.—

(1) IN GENERAL.—The regulations for purposes of this section shall provide that a law enforcement agency in possession of a controlled defense item that is no longer eligible for treatment as an eligible defense item pursuant to paragraph (2)(D) shall not be required to transfer the controlled defense item to the Department pursuant to Executive Order 13988.

(2) RETURN OF ITEMS SUBSEQUENTLY TREATED AS NOT ELIGIBLE NOT REQUIRED.—The regulations for purposes of this section shall provide that a law enforcement agency in possession of a controlled defense item that is no longer eligible for treatment as an eligible defense item pursuant to paragraph (2)(D) shall not be required to return such item to the Department pursuant to Executive Order 13988.

(3) RETURN OF ITEMS NOT TREATED AS ELIGIBLE DEFENSE ITEMS NOT IMMEDIATELY REQUIRED.—

(A) RETURN OF INITIAL PROHIBITED ITEMS NOT GENERALLY REQUIRED.—The regulations for purposes of this section shall provide that a law enforcement agency in possession of a controlled defense item that is no longer eligible for treatment as an eligible defense item pursuant to paragraph (2)(D) shall not be required to return such item to the Department pursuant to Executive Order 13988.

(B) RETURN OF ITEMS SUBSEQUENTLY TREATED AS NOT ELIGIBLE NOT REQUIRED.—The regulations for purposes of this section shall provide that a law enforcement agency in possession of a controlled defense item that is no longer eligible for treatment as an eligible defense item pursuant to paragraph (2)(D) shall not be required to return such item to the Department pursuant to Executive Order 13988.

(3) RETURN OF ITEMS NOT TREATED AS ELIGIBLE DEFENSE ITEMS NOT IMMEDIATELY REQUIRED.—

(A) RETURN OF INITIAL PROHIBITED ITEMS NOT GENERALLY REQUIRED.—The regulations for purposes of this section shall provide that a law enforcement agency in possession of a controlled defense item that is no longer eligible for treatment as an eligible defense item pursuant to paragraph (2)(D) shall not be required to return such item to the Department pursuant to Executive Order 13988.

(B) RETURN OF ITEMS SUBSEQUENTLY TREATED AS NOT ELIGIBLE NOT REQUIRED.—The regulations for purposes of this section shall provide that a law enforcement agency in possession of a controlled defense item that is no longer eligible for treatment as an eligible defense item pursuant to paragraph (2)(D) shall not be required to return such item to the Department pursuant to Executive Order 13988.

(3) RETURN OF ITEMS NOT TREATED AS ELIGIBLE DEFENSE ITEMS NOT IMMEDIATELY REQUIRED.—

(A) RETURN OF INITIAL PROHIBITED ITEMS NOT GENERALLY REQUIRED.—The regulations for purposes of this section shall provide that a law enforcement agency in possession of a controlled defense item that is no longer eligible for treatment as an eligible defense item pursuant to paragraph (2)(D) shall not be required to return such item to the Department pursuant to Executive Order 13988.

(B) RETURN OF ITEMS SUBSEQUENTLY TREATED AS NOT ELIGIBLE NOT REQUIRED.—The regulations for purposes of this section shall provide that a law enforcement agency in possession of a controlled defense item that is no longer eligible for treatment as an eligible defense item pursuant to paragraph (2)(D) shall not be required to return such item to the Department pursuant to Executive Order 13988.
(i) specialized leadership training requirements for unit commanders who have—

(ii) decision-making authority on the deployment of SWAT teams and tactical military vehicles;

(iii) responsibility for drafting policies on the use of force and SWAT team deployment;

(iv) annual specialized SWAT team training requirements for all SWAT team members, including in law enforcement tactics used in tactical operations;

(v) annual training requirements for all law enforcement officers or members of specialized tactical units other than SWAT teams (including high-risk warrant service teams, hostage rescue teams, and drug enforcement); and

(vi) annual training on sensitivity, including training on ethnic and racial bias, cultural diversity, and police interaction with the disabled, mentally ill, and new immigrants;

(vii) annual training in crowd control tactics for any officers that may be called upon to participate in crowd control efforts; and

(viii) such other training as recommended by the evaluation conducted pursuant to section 1051(d) of the National Defense Authorization Act for Fiscal Year 2016.

B. Requirements for law enforcement agencies.—The requirements under subparagraph (A) shall provide for the first completion of the training required by this section by each law enforcement agency not later than one year after the date on which the individual becomes an officer in a law enforcement agency.

C. Records.—Each law enforcement agency to which eligible defense items are transferred pursuant to this section shall retain training records of each officer authorizing an individual to carry or use such item for not less than three years after the date on which the training occurs, and shall provide a copy of such records to the Director of the Defense Logistics Agency upon request.

2. INTERPRETATION OF THIS SECTION.—The requirements and definitions in paragraph (1) shall, for the purpose of obtaining equipment under this section, supersede and override the training requirements issued pursuant to Executive Order 13686.

3. CONSTRUCTION WITH OTHER DLA AUTHORITY.—Nothing in this section shall be construed to override, alter, or supersede the authority of the Department of Defense Logistics Agency to dispose of property of the Department of Defense that is not an eligible defense item to law enforcement agencies under another other provision of law.

4. DEFINITIONS.—In this section:

(1) The term ‘bayonet’ means a large knife designed to be attached to the muzzle of a rifle, shotgun, or long gun for the purposes of hand-to-hand combat.

(2) The term ‘breaching apparatus’ means a tool designed to provide law enforcement rapid entry into a building or through a secured doorway, including battering rams or similar entry devices, battering devices, and explosive devices.

(3) The term ‘controlled defense item’ means property of the Department of Defense that is subject to the restrictions of the United States Munitions List (22 Code of Federal Regulations Part 121) or the Commerce Control List (15 Code of Federal Regulations Part 774).

(4) The term ‘eligible defense item’ means a controlled defense item that is eligible for transfer to a law enforcement agency pursuant to this section.

(5) The term ‘fixed wing manned aircraft’ means a powered aircraft with a crew aboard, such as airplanes, that uses a fixed wing for lift.

(6) The term ‘grenade launcher’ means a firearm or firearm accessory designed to launch small explosive projectiles.

(7) The term ‘riot baton’ means a non-explosive baton or similar device than service-issued types that are intended to protect its wielder during melees by providing distance from assailants. The term does not include a service-issued telescopable or fixed length straight baton.

(8) The term ‘specialized firearm and ammunition’ means a weapon and corresponding ammunition for specialized operations or assignments. The term does not include service-issued handguns, rifles, or shotguns that are issued or approved by an agency to be used during the course of regularly assigned duties.

(9) The term ‘State Coordinator’ means an individual appointed by the Governor of a State—

(A) to manage requests of State and local law enforcement agencies of the State for eligible defense items; and

(B) to ensure the appropriate use of eligible defense items transferred under this section by such law enforcement agencies.

(10) The term ‘law enforcement agency’ means a State or local agency or entity with law enforcement officers that have arrest and apprehension authority and whose primary function is to enforce the laws. The term includes a local educational agency with such officers. The term does not include a firefighting agency or entity.

(11) The term ‘SWAT team’ means a Special Weapons and Tactics team or other specialized tactical team composed of State or local sworn law enforcement officers.

(12) The term ‘specialized tactical vehicle’ means an armored vehicle having military characteristics resulting from military re-search and development processes that is designed primarily for use by forces in the field in direct connection with, or support of, combat or tactical operations.

(13) The term ‘tracked armored vehicle’ means a vehicle that provides ballistic protection to its occupants and utilize a tracked system instead of wheels for forward motion.

(14) The term ‘unmanned aerial vehicle’ means a remotely piloted, powered aircraft without a crew aboard.

(15) The term ‘vehicular armored vehicle’ means any wheeled vehicle either purpose-built or modified to provide ballistic protection to its occupants, such as an Armored Personnel Carrier.

(16) The term ‘wheelie tactical vehicle’ means a vehicle purpose-built to operate onroad and offroad in support of military operations, such as a HMMWV (‘Humvee’), 2-ton truck, or an armored tactical vehicle with a breaching or entry apparatus attached.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. RUBIO. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on May 26, 2016, at 10 a.m., in room SH-216 of the Hart Senate Office Building, to conduct a hearing entitled “A Review of the U.S. Livestock and Poultry Sectors: Marketplace Opportunities and Challenges.”

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. RUBIO. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on May 26, 2016, at 10 a.m., to conduct a hearing entitled “Protecting America from the Threat of ISIS.”

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. RUBIO. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on May 26, 2016, at 10 a.m., in room SR–238A of the Russell Senate Office Building to conduct a hearing entitled “ Oversight of the SBA’s 7(a) Loan Guarantee Program.”

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

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. RUBIO. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on May 26, 2016, at 2 p.m., in room SH–219 of the Hart Senate Office Building.

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

COMMITTEE ON WESTERN HEMISPHERE, TRANSNATIONAL CRIME, CIVILIAN SECURITY, DEMOCRACY, HUMAN RIGHTS, AND GLOBAL WOMEN’S ISSUES

Mr. RUBIO. Mr. President, I ask unanimous consent that the Committee on Foreign Relations Subcommittee on Western Hemisphere, Transnational Crime, Civilian Security, Democracy, Human Rights, and Global Women’s Issues be authorized to meet during the session of the Senate on May 26, 2016, at 9 a.m., to conduct a hearing entitled “Cartels and the U.S. Heroin Epidemic: Combating Drug Violence and Public Health Crisis.”

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

PRIVILEGES OF THE FLOOR

Mr. WICKER. Mr. President, I ask unanimous consent that CDR Andrew Cook, a defense legislative fellow in my office, be granted privileges of the floor during the remainder of this session of Congress.

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