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No. 174

## House of Representatives

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

### DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,  
December 5, 2016.

I hereby appoint the Honorable JEFF DENHAM to act as Speaker pro tempore on this day.

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

### MORNING-HOUR DEBATE

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

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

### CELEBRATING CARTER HANSON, A GAGLIARDI RECIPIENT

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

Mr. EMMER of Minnesota. Mr. Speaker, I rise today to celebrate one of Minnesota's most promising student athletes, St. John's linebacker Carter Hanson. Carter has been chosen as one of the semifinalists for the prestigious Gagliardi Trophy.

This trophy is named after the former St. John's University Hall of Fame, renowned football coach John Gagliardi and is given to the best Divi-

sion III football player of the year. Carter Hanson has started every season for 4 years, was a preseason All-American, and this year led his team in tackles.

Carter doesn't just excel on the football field, but in the classroom and the community as well. He has maintained a 4.0 grade point average for 4 years, and this year, he has been selected as the only Division III finalist for the National Football Foundation's Campbell Trophy, which is given to the best student athlete in football.

Carter is a global business leadership major. He has already put his degree to good work by volunteering in Haiti and for organizations like Kids Against Hunger and St. Jude Children's Research Hospital.

I am proud that a young man like Carter hails from the great State of Minnesota, and I am positive that we are going to see great accomplishments from him in the future.

The winner of the Gagliardi Trophy will be announced shortly, and while there is great competition, I am convinced that no one is more deserving than Carter Hanson.

### CELEBRATING MIKE GOHMAN OF W. GOHMAN CONSTRUCTION

Mr. EMMER of Minnesota. Mr. Speaker, I rise today to celebrate Mike Gohman of W. Gohman Construction for being named Builder of the Year by the Builders Association of Minnesota.

W. Gohman Construction was established in 1950 by Mike's grandfather, Willard Gohman, out of his shed. Like many of Minnesota's small businesses, this company has evolved and grown. Today Mike is the third generation to own and run this incredible company, and he continually works to uphold the integrity that his father and his grandfather started.

To Mike, it has never been just about the success of his company, but of the building industry as a whole. He has been an active member of the Builders Association of Minnesota and the Cen-

tral Minnesota Builders Association, working to represent his and other companies throughout the St. Cloud community and our State.

Mike always goes above and beyond by hosting job site tours, advocating for the building industry at the State capitol, as well as educating elected officials on the issues and concerns of his field. He even recently represented his company and industry at a roundtable we hosted to explain their concerns about our Nation's failing healthcare system.

Mike is a true asset to our community and the building industry. He is well deserving of being named Builder of the Year.

Congratulations, Mike.

DODD-FRANK

Mr. EMMER of Minnesota. Mr. Speaker, the consequences of the Great Recession have been all too real: homes and jobs lost, retirement plans ruined, and fewer opportunities for Americans from all walks of life. Unfortunately, Dodd-Frank has further entrenched the too-big-to-fail bailout mentality, done little to reduce the likelihood of another severe recession, and hindered economic growth.

Thankfully, the Systemic Risk Designation Improvement Act amends the one-size-fits-all approach to regulation taken by Dodd-Frank for large banks, providing a more tailored assessment of these financial institutions when determining their level of risk. This law will require regulators to examine a range of indicators—not just the size of a bank—to understand whether or not a bank could threaten the financial integrity of the United States and whether it should be designated as systemically important. This reform will provide a more pragmatic approach to regulation, which will make the American economy stronger.

I want to thank Mr. LUETKEMEYER and Chairman HENSARLING for their leadership on this issue and those who

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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supported it when it passed in the House last week.

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#### RECESS

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

Accordingly (at 12 o'clock and 5 minutes p.m.), the House stood in recess.

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□ 1400

#### AFTER RECESS

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

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#### PRAYER

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

Loving and gracious God, we give You thanks for giving us another day.

We ask today that You bless the Members of the people's House, to be the best and most faithful servants of the people they serve.

May they be filled with gratitude at the opportunity they have to serve in this place. We thank You for the abilities they have been given to do their work, to contribute to the common good.

As this second session of the 114th Congress draws near its end, and legislative business once again weighs heavily on this Hill, withhold not Your spirit of wisdom and truth from this assembly. Give each Member clarity of thought and purity of motive so that they may render their service as their best selves.

In this time of waiting, as people of faith prepare for holy celebrations, bless our Nation with peace and good will. May all Americans of whatever faith or background work together to build a commonweal, something which can only be accomplished by Your grace.

May all that is done this day in the people's House, be for Your greater honor and glory.

Amen.

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#### THE JOURNAL

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

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

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#### PLEDGE OF ALLEGIANCE

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

Mr. WILSON of South Carolina led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Repub-

lic for which it stands, one nation under God, indivisible, with liberty and justice for all.

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#### HONORING AIR FORCE LIEUTENANT COLONEL ROCKO RODRIGUEZ

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

Mr. WILSON of South Carolina. Mr. Speaker, today, I am grateful to express my appreciation to Lieutenant Colonel Rocko Rodriguez, U.S. Air Force, of San Antonio, Texas.

For the past year, I have had the privilege of working alongside Rocko in the office as he served the people of South Carolina's Second Congressional District as a defense fellow on assignment from the Air Force.

Lieutenant Colonel Rodriguez was commissioned in 2001, through the Officer Training School at Maxwell Air Force Base, Alabama. He distinguished himself early as a leader, holding various positions in special operations and cyber operations. Rocko has served honorably in Operations Iraqi and Enduring Freedom, Southern Watch, and Deny Flight.

Rocko is a dedicated member of the Air Force with academic achievements. He will graduate from the Air Force Legislative Fellowship program this Thursday and will receive his masters of science degree from Georgetown University Government Affairs Institute. Lieutenant Colonel Rodriguez will soon be transitioning to work at the U.S. Cyber Command Legislative Affairs Branch.

I wish Rocko, his wife, Sarah, and his four children, Kaitlyn, Natalie, Troy, and Timothy, all the best for continued success.

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

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#### RECOGNIZING EL DORADO SPRINGS CHAMBER OF COMMERCE

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

Mrs. HARTZLER. Mr. Speaker, today, I rise to recognize the El Dorado Springs Chamber of Commerce, which was honored among the 200 local chambers as the 2016 Missouri Small Chamber of Commerce of the Year.

The title is much deserved as the El Dorado Springs Chamber of Commerce, under Executive Director Jackson Tough, has been a leader in promoting economic development, community service, and tourism in the area.

I am honored to represent this distinguished organization.

With around 125 members, the chamber has created a number of initiatives to better its community, including the "Clean-Up ElDo Mo" project to keep the city pristine, a youth scholarship fund to make sure tomorrow's leaders

have the opportunities they need today, and a social media initiative "Be in the Know about ElDo Mo" to raise awareness about this wonderful city and its residents.

Communities like El Dorado Springs are the foundation of Missouri and our way of life. Thanks to the hard work and dedication of these chamber leaders, we continue to sustain and strengthen our communities.

I applaud the chamber's work to grow and sustain its community, recognizing its specific assets and opportunities, and I congratulate the chamber on all its accomplishments.

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#### CONGRATULATING NEW DEMOCRAT COALITION LEADERSHIP

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

Mr. PETERS. Mr. Speaker, I rise today to congratulate the newly elected leadership of the New Democrat Coalition.

Our new chair, JIM HIMES, and newly elected co-chairs, JARED POLIS, SUZAN DELBENE, TERRI SEWELL, and DEREK KILMER, are strong, bipartisan pro-growth leaders. They bring the vision and experience to guide the New Democrat Coalition in the 115th Congress.

New Dems are pragmatic leaders who stand up for working families and work across the aisle to expand economic opportunity. They are focused on creating jobs and building an economy that leaves no one behind, a mission that will not change under the next administration.

I am eager to work with our new leadership—and our 54 members—as we continue to make the New Democrat Coalition the home for strong civil rights and sensible, bipartisan, pro-growth policy in Congress.

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#### COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, December 2, 2016.

Hon. PAUL D. RYAN,  
The Speaker, House of Representatives,  
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 2, 2016, at 1:35 p.m.:

That the Senate passed with an amendment H.R. 1561.

That the Senate agrees to the amendment of the House S. 2577.

With best wishes, I am,  
Sincerely,

KAREN L. HAAS.

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#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Under clause 5(d) of rule XX, the Chair announces to the House that, in light of

the resignation of the gentlewoman from California (Ms. HAHN), the whole number of the House is 434.

#### RESIGNATION FROM THE HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore laid before the House the following resignation from the House of Representatives:

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, December 2, 2016.

Speaker PAUL D. RYAN,  
Washington, DC.

DEAR SPEAKER RYAN: I hereby tender my resignation from the U.S. House of Representatives effective midnight on December 31, 2016. It has been my distinct honor to serve the people of Michigan's Tenth Congressional District for the past 14 years and I look forward to continuing my life in public service.

Sincerely,

CANDICE S. MILLER,  
Member of Congress.

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, December 2, 2016.

Governor RICK SNYDER,  
Lansing, MI.

DEAR GOVERNOR SNYDER: I hereby tender my resignation from the U.S. House of Representatives effective midnight on December 31, 2016. It has been my distinct honor to serve the people of Michigan's Tenth Congressional District for the past 14 years and I look forward to continuing my life in public service.

Sincerely,

CANDICE S. MILLER,  
Member of Congress.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 4:30 p.m. today.

Accordingly (at 2 o'clock and 7 minutes p.m.), the House stood in recess.

□ 1630

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. ROTHFUS) at 4 o'clock and 30 minutes p.m.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken later.

#### ENHANCING WHISTLEBLOWER PROTECTION FOR CONTRACTOR AND GRANTEE EMPLOYEES

Mr. CHAFFETZ. Mr. Speaker, I move to suspend the rules and pass the bill

(S. 795) to enhance whistleblower protection for contractor and grantee employees.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 795

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

#### SECTION 1. ENHANCEMENT OF WHISTLEBLOWER PROTECTION FOR CONTRACTOR AND GRANTEE EMPLOYEES.

(a) PROTECTION FOR EMPLOYEES OF GRANTEES AND SUBGRANTEES.—

(1) DEFENSE GRANTS.—Section 2409(a)(1) of title 10, United States Code, is amended by inserting “or personal services contractor” after “subgrantee”.

(2) CIVILIAN GRANTS.—Section 4712(a)(1) of title 41, United States Code, is amended by striking “or grantee” and inserting “grantee, or subgrantee or personal services contractor”.

(3) PERMANENT EXTENSION OF PILOT PROGRAM FOR ENHANCEMENT OF CONTRACTOR PROTECTION FROM REPRISAL FOR DISCLOSURE OF CERTAIN INFORMATION.—

(A) IN GENERAL.—Section 4712 of title 41, United States Code, is amended—

(i) in the section heading by striking “Pilot program for enhancement” and inserting “Enhancement”; and

(ii) by striking subsection (i).

(B) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 47 of title 41, United States Code, is amended by striking the item relating to section 4712 and inserting the following new item:

“4712. Enhancement of contractor protection from reprisal for disclosure of certain information.”

(b) PROHIBITION ON REIMBURSEMENT FOR LEGAL FEES ACCRUED IN DEFENSE AGAINST REPRISAL CLAIMS.—

(1) DEFENSE CONTRACTS.—Section 2324(k) of title 10, United States Code, is amended—

(A) by inserting “or subcontractor, or personal services contractor” after “contractor” each place it appears;

(B) by inserting “, subcontract, or personal services contract” after “contract” each place it appears; and

(C) in paragraph (1), by inserting “or to any other activity described in subparagraphs (A) through (C) of section 2409(a)(1) of this title” after “statute or regulation”.

(2) CIVILIAN CONTRACTS.—

(A) IN GENERAL.—Section 4310 of title 41, United States Code, is amended—

(i) by inserting “, subcontractor, or personal services contractor” after “contractor” each place it appears;

(ii) by inserting “, subcontract, or personal services contract” after “contract” each place it appears; and

(iii) in subsection (b)(1), by inserting “or to any other activity described in section 4712(a)(1) of this title” after “statute or regulation”.

(B) CONFORMING AMENDMENT.—Section 4304(a)(15) of title 41, United States Code, is amended by inserting “or subcontractor, or personal service contractor” after “contractor”.

(c) INCLUSION OF CONTRACT CLAUSE IN CONTRACTS AWARDED BEFORE EFFECTIVE DATE.—At the time of any major modification to a contract that was awarded before the date of the enactment of this Act, the head of the contracting agency shall make best efforts to include in the contract a contract clause providing for the applicability of the amendments made by this section and section 827 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1833).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. CHAFFETZ) and the gentleman from Maryland (Mr. CUMMINGS) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

#### GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, I rise today in support of this bill, S. 795, a bill to enhance whistleblower protection for contractor and grantee employees. It is a bill with good bipartisan support in both Chambers of Congress.

I really do applaud and thank, in particular, the gentleman from Maryland (Mr. CUMMINGS), the ranking member on our committee, who has helped champion this and point this out and lead our efforts in the House on this.

In the House, the Committee on Oversight and Government Reform considered an identical bill, the Whistleblower Protections for Contractors Act, introduced by Ranking Member CUMMINGS and myself, and the committee reported this legislation by unanimous consent. In the Senate, it has been Senators MCCASKILL and RON JOHNSON who have worked arm in arm on this and are also very supportive of it. Today we bring up the Senate version of this bill to expedite its approval to get this bill to the President's desk.

As you know, Mr. Speaker, whistleblowers are invaluable to the oversight work of Congress. We rely on people who are on the front lines seeing things as they truly are to provide information and blow the whistle when they see something going awry. They are one of our best sources of information about waste, fraud, and abuse within the Federal Government.

As an institution, we should try to do everything we can to encourage them to come and speak with us, and when they do, to make sure that they have the proper and adequate protections. That is exactly what this bill does, by recognizing that not all whistleblowers are Federal employees. We have robust Federal recognition and whistleblower protection for Federal employees, and we believe that contractors and others should have that as well.

It makes permanent a successful pilot program that extended whistleblower protections to civilian contractor and grantee employees. It also ensures whistleblower protections are extended to subgrantees and personal services contractors for both defense and civilian contractors. It is important because the Federal Government

spends half a trillion dollars a year on grants and contracts. Think about that; half a trillion dollars is going out the door. There is always somebody doing something stupid somewhere; so to have this protection for a whistleblower as a contractor, for instance, just seems wise and prudent.

In overseeing how these funds are spent, the best source for rooting out waste is from grantees, subgrantees, contractors, and subcontractors. One loophole this bill closes is that personal services contractors were not protected in the past. These contractors can be just as valuable in identifying the waste and fraud we are committed to preventing in the first place. It only makes sense to offer those personal services contractors the same protections we give other contractors.

With this bill, we are sending a strong message to both whistleblowers and their employers. We are serious about stopping waste, fraud, and abuse, and we are serious about protecting those who bring that information forward. Every dollar of wasted funds comes from the pocket of the same hardworking men and women who elected us to Congress. It is their money. It is not our money. It is not the Federal Government's money. It is the taxpayers' money.

As we work to protect these taxpayer dollars, we also have a duty and responsibility to protect these whistleblowers. They are the best allies we have. S. 795 accomplishes that goal. An identical bill was passed out of our committee. I would appreciate the support of our colleagues to further this.

Again, I thank Mr. CUMMINGS for his good work and passion on this.

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

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

Mr. Speaker, I rise in strong support of S. 795. I introduced the House companion of this legislation, the Whistleblower Protections for Contractors Act. We are taking up the Senate measure today to make sure this bill can be signed by the President before the end of this Congress.

I want to thank Senator MCCASKILL for all of her hard work and Senator JOHNSON for all that he did to make this bill come to this point.

I would also like to give special thanks to Chairman CHAFFETZ for being an original cosponsor and helping bring this bill to the floor. Our committee has always stood hand in hand with regard to protecting whistleblowers, and we have made it abundantly clear that we will do everything in our power to protect them from any type of retaliation or any type of harm.

Whistleblowers are the front line of defense against waste, fraud, and abuse. Employees who work on Federal contracts and grants see firsthand when taxpayer money is being wasted. They risk their careers to challenge abuses of power and mismanagement of government resources. They must be

protected against retaliation when they blow the whistle on wrongdoing.

Just the other day, we had a witness come before our committee, and it was clear that she was very, very concerned about retaliation to the point of almost being shaken. You could actually see it. When we see these folks, we realize and we are reminded of the fact that they bring a very important resource to us as the Committee on Oversight and Government Reform, and that is they bring us information, information that allows us to be able to address problems that we wouldn't even know about if it were not for them.

I thank Chairman CHAFFETZ and our entire committee for taking the attitude of protecting whistleblowers to the greatest extent we possibly can.

This bill would ensure that more employees are protected by giving subgrantees and personal services contractors the same whistleblower protections currently given to contractors, grant recipients, and subcontractors. This bill also would make protections for civilian contractors and grantees permanent. These are protections that contractors and grantees of the Department of Defense already enjoy.

I urge every Member of Congress to stand up for whistleblowers, to stand up for good government, and to pass this legislation.

Mr. Speaker, I urge all Members to vote in favor of this very important and meaningful legislation.

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

I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise in support of S. 795, a bill to enhance whistleblower protection for contractor and grantee employees.

The Government Accountability Project, a leading U.S. organization in support of Federal whistleblower laws, supports without qualifications S. 795, legislation to make permanent a pilot program that provides whistleblower rights for employees of government contractors.

The "Pilot program for enhancement of contractor protection from reprisal for disclosure of certain information" (pilot program) was established under 41 U.S.C. §4712, as an amendment to the FY2012 National Defense Authorization Act (NDAA).

Federal whistleblower protection laws are not new; they provide a means for government employees to report waste, fraud, and abuse of taxpayer resources.

I support this bill because the bill extends federal contractor whistleblower protections to employees of:

(1) personal services contractors working on defense contracts (currently, the protections apply to employees of defense contractors, subcontractors, grantees, or sub-grantees); and

(2) personal services contractors or subgrantees working on federal civilian contracts (currently, the protections apply to employees of civilian contractors, subcontractors, or grantees).

This bill would codify a pilot program that is already in place that allows employees of civil-

ian contractors to report waste, fraud, and abuse and make permanent the civilian contractor protections.

S. 795 extends whistleblower protections to employees of subcontractors to report waste, fraud and abuse of federal taxpayer dollars.

Whistleblower disclosures by Federal contract employees can save lives as well as billions of taxpayer dollars.

For example, Section 1553 of the Obama Administration's American Recovery and Reinvestment Act of 2009 (ARRA) established whistleblower protections for all recipients of stimulus funds, including all state and local government employees and all contractors, including within the IC.

That provision was credited with the low rate of fraud reported around stimulus funds.

During the Congressional oversight hearings, the Chair of the Legislation Committee of the Council of Inspectors General on Integrity and Efficiency (CIGIE) testified that:

OIGs indicated that their investigations and reviews of the whistleblower complaints had resulted in recovery of approximately \$1.85 million as of April of the first year it was in force.

One of the key provisions of ARRA is Section 1553 that gives the authority of OIGs to investigate reprisal complaints from non-Federal employee whistleblowers.

Federal whistleblower protection laws play a critical role in keeping our Government honest, efficient, and accountable by rooting out waste, fraud, and abuse as well as protecting public health and safety.

Whistleblowers can be some of the most powerful tools in the federal government arsenal to protect taxpayer dollars.

For example, the Securities and Exchange Commission finds of great assistance information from whistleblowers who know of possible securities law violations that could be among the most powerful weapons in the law enforcement arsenal of the Securities and Exchange Commission.

According to USASpending.gov, in Fiscal Year 2015, the Federal government spent over \$1 trillion in contracts and grants—\$438 billion in contracts and \$614 billion in grants.

If this bill does not pass, contractors and grantees are in danger of losing hard-fought whistleblower protections if current protections are not extended.

This bill makes those protections permanent, ensuring that contractors and grantees continue to have the security they need to report waste, fraud and abuse of taxpayer dollars.

Much of this funding flows through the prime contractors and grantees to subcontractors and sub-grantees.

The bill applies to subcontractors' existing prohibitions on reimbursable costs for contractors, including in their defense against retaliation claims by whistleblowers.

Federal taxpayers should not foot the legal bills for contractors who retaliate against employees that report waste, fraud and abuse of taxpayer dollars.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. CHAFFETZ) that the House suspend the rules and pass the bill, S. 795.

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

A motion to reconsider was laid on the table.

#### APOLLO 11 50TH ANNIVERSARY COMMEMORATIVE COIN ACT

Mr. POSEY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2726) to require the Secretary of the Treasury to mint commemorative coins in recognition of the 50th anniversary of the first manned landing on the Moon, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2726

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Apollo 11 50th Anniversary Commemorative Coin Act”.

#### SEC. 2. FINDINGS.

The Congress finds the following:

(1) On July 16, 1969, the Apollo 11 spacecraft launched from Launch Complex 39A at the John F. Kennedy Space Center carrying Neil Armstrong, Buzz Aldrin, and Michael Collins, who would become the first of mankind to complete a crewed lunar landing.

(2) The United States is the only country ever to have attempted and succeeded in landing humans on a celestial body off the Earth and safely returning them home, completing an unprecedented engineering, scientific and political achievement.

(3) The Apollo 11 mission, culminating in man’s first steps on the Moon on July 20, 1969, honored the fallen astronauts of the Apollo 1 crew, whose innovative work and bravery will be remembered forever.

(4) Apollo 11 accomplished the national goal set forth in 1961 by President John F. Kennedy, who stated at Rice University the following year, “We choose to go to the Moon. We choose to go to the Moon in this decade and do the other things, not because they are easy, but because they are hard, because that goal will serve to organize and measure the best of our energies and skills, because that challenge is one that we are willing to accept, one we are unwilling to postpone, and one which we intend to win”.

(5) At the height of the Cold War, the Apollo space program provided the United States and the free world with a powerful symbolic win, demonstrating the strength, ambition, and determination of the United States in technological and economic advancement, and securing our Nation’s leadership in space for generations to come.

(6) The National Aeronautics and Space Administration’s (referred to in this Act as “NASA”) Marshall Space Flight Center in Huntsville, Alabama, designed, assembled, and tested the most powerful launch vehicle in history, the Saturn V rocket, which was used for the Apollo missions in the 1960s and 1970s.

(7) The Saturn V weighed 6,200,000 pounds and generated 7,600,000 pounds of thrust, which NASA has equated to generating more power than 86 Hoover Dams.

(8) During the time period from 1969 through 1972, NASA completed eight Apollo missions and landed 12 men on the Moon. The six missions that landed on the Moon returned with a wealth of groundbreaking scientific data and over 800 pounds of lunar samples.

(9) An estimated 400,000 Americans contributed to the successful program that led to the lunar landing on July 20, 1969, including NASA scientists, engineers, astronauts, in-

dustry contractors and their engineering and manufacturing workforce, as well as the political leadership of Republicans and Democrats in Congress and the White House.

(10) The Apollo program, along with its predecessor Mercury and Gemini programs, inspired generations of American students to pursue careers in science, technology, engineering, and mathematics (STEM), which has fueled innovation and economic growth throughout a range of industries over the last four decades.

(11) July 20, 2019, will mark the 50th anniversary of the Apollo 11 landing of Neil Armstrong and Buzz Aldrin on the lunar surface.

#### SEC. 3. COIN SPECIFICATIONS.

(a) DENOMINATIONS.—In recognition and celebration of the 50th anniversary of the first manned Moon landing, the Secretary of the Treasury (hereafter in this Act referred to as the “Secretary”) shall mint and issue the following coins:

(1) \$5 GOLD COINS.—Not more than 50,000 \$5 coins, which shall—

(A) weigh 8.359 grams;  
(B) be struck on a planchet having a diameter of 0.850 inches; and  
(C) contain not less than 90 percent gold.

(2) \$1 SILVER COINS.—Not more than 400,000 \$1 coins, which shall—

(A) weigh 26.73 grams;  
(B) be struck on a planchet having a diameter of 1.500 inches; and  
(C) contain not less than 90 percent silver.

(3) HALF-DOLLAR CLAD COINS.—Not more than 750,000 half-dollar coins which shall—

(A) weigh 11.34 grams;  
(B) be struck on a planchet having a diameter of 1.205 inches; and  
(C) be minted to the specifications for half-dollar coins contained in section 5112(b) of title 31, United States Code.

(4) PROOF SILVER \$1 COINS.—Not more than 100,000 proof \$1 silver coins which shall—

(A) weigh 5 ounces;  
(B) be struck on a planchet having a diameter of 3 inches; and  
(C) contain .999 fine silver.

(b) LEGAL TENDER.—The coins minted under this Act shall be legal tender, as provided in section 5103 of title 31, United States Code.

(c) NUMISMATIC ITEMS.—For purposes of sections 5134 and 5136 of title 31, United States Code, all coins minted under this Act shall be considered to be numismatic items.

(d) CONVEX SHAPE.—

(1) IN GENERAL.—The coins minted under this Act shall be produced in a fashion similar to the 2014 National Baseball Hall of Fame 75th Anniversary Commemorative Coin, so that the reverse of the coin is convex to more closely resemble the visor of the astronaut’s helmet of the time and the obverse concave, providing a more dramatic display of the obverse design chosen pursuant to section 4(c).

(2) SENSE OF CONGRESS.—It is the sense of Congress that, to the extent possible without significantly adding to the purchase price of the coins, the coins minted under this Act should be produced with the design of the reverse of the coins continuing over what would otherwise be the edge of the coins, such that the reverse design extends all the way to the obverse design.

#### SEC. 4. DESIGN OF COINS.

(a) IN GENERAL.—The design for the coins minted under this Act shall be—

(1) selected by the Secretary after consultation with—

(A) the Commission of Fine Arts; and  
(B) with respect to the design of the reverse of the coins, the Administrator of NASA; and

(2) reviewed by the Citizens Coinage Advisory Committee.

(b) DESIGNATIONS AND INSCRIPTIONS.—On each coin minted under this Act there shall be—

(1) a designation of the denomination of the coin;

(2) an inscription of the year “2019”; and

(3) inscriptions of the words “Liberty”, “In God We Trust”, “United States of America”, and “E Pluribus Unum”.

(c) SELECTION AND APPROVAL PROCESS FOR OBTAINING DESIGN.—

(1) IN GENERAL.—The Secretary shall hold a juried, compensated competition to determine the design of the common obverse of the coins minted under this Act, with such design being emblematic of the United States space program leading up to the first manned Moon landing.

(2) SELECTION PROCESS.—Proposals for the obverse design of coins minted under this Act may be submitted in accordance with the design selection and approval process developed by the Secretary in the sole discretion of the Secretary.

(3) PROPOSALS.—As part of the competition described in this subsection, the Secretary may accept proposals from artists, engravers of the United States Mint, and members of the general public, and any designs submitted for the design review process described herein shall be anonymized until a final selection is made.

(4) COMPENSATION.—The Secretary shall determine compensation for the winning design under this subsection, which shall be not less than \$5,000.

(d) REVERSE DESIGN.—The design on the common reverse of the coins minted under this Act shall be a representation of a close-up of the famous “Buzz Aldrin on the Moon” photograph taken July 20, 1969, that shows just the visor and part of the helmet of astronaut Buzz Aldrin, in which the visor has a mirrored finish and reflects the image of the United States flag and the lunar lander and the remainder of the helmet has a frosted finish.

#### SEC. 5. ISSUANCE OF COINS.

(a) QUALITY OF COINS.—Except with respect to coins described under section 3(a)(4), coins minted under this Act shall be issued in uncirculated and proof qualities.

(b) PERIOD FOR ISSUANCE.—The Secretary may issue coins minted under this Act only during the 1-year period beginning on January 1, 2019.

#### SEC. 6. SALE OF COINS.

(a) SALE PRICE.—The coins issued under this Act shall be sold by the Secretary at a price equal to the sum of—

(1) the face value of the coins;  
(2) the surcharge provided in section 7(a) with respect to such coins; and

(3) the cost of designing and issuing the coins (including labor, materials, dies, use of machinery, winning design compensation, overhead expenses, marketing, and shipping).

(b) BULK SALES.—The Secretary shall make bulk sales of the coins issued under this Act at a reasonable discount.

(c) PREPAID ORDERS.—

(1) IN GENERAL.—The Secretary shall accept prepaid orders for the coins minted under this Act before the issuance of such coins.

(2) DISCOUNT.—Sale prices with respect to prepaid orders under paragraph (1) shall be at a reasonable discount.

#### SEC. 7. SURCHARGES.

(a) IN GENERAL.—All sales of coins minted under this Act shall include a surcharge as follows:

(1) A surcharge of \$35 per coin for the \$5 coin.

(2) A surcharge of \$10 per coin for the \$1 coin described under section 3(a)(2).

(3) A surcharge of \$5 per coin for the half-dollar coin.

(4) A surcharge of \$50 per coin for the \$1 coin described under section 3(a)(4).

(b) DISTRIBUTION.—Subject to section 5134(f) of title 31, United States Code, all surcharges received by the Secretary from the sale of coins issued under this Act shall be promptly paid by the Secretary as follows:

(1) one half to the Smithsonian Institution's National Air and Space Museum's "Destination Moon" exhibit, for design, education, and installation costs related to establishing and maintaining the exhibit, and for costs related to creating a traveling version of the exhibition;

(2) one quarter to the Astronauts Memorial Foundation, for costs related to the preservation, maintenance, and enhancement of the Astronauts Memorial and for promotion of space exploration through educational initiatives; and

(3) one quarter to the Astronaut Scholarship Foundation, to aid its missions of promoting the importance of science and technology to the general public and of aiding the United States in retaining its world leadership in science and technology by providing college scholarships for the very best and brightest students pursuing degrees in science, technology, engineering, or mathematics (STEM).

(c) AUDITS.—The recipients described under subsection (b) shall be subject to the audit requirements of section 5134(f)(2) of title 31, United States Code, with regard to the amounts received under subsection (b).

(d) LIMITATION.—Notwithstanding subsection (a), no surcharge may be included with respect to the issuance under this Act of any coin during a calendar year if, as of the time of such issuance, the issuance of such coin would result in the number of commemorative coin programs issued during such year to exceed the annual commemorative coin program issuance limitation under section 5112(m)(1) of title 31, United States Code (as in effect on the date of the enactment of this Act). The Secretary of the Treasury may issue guidance to carry out this subsection.

#### SEC. 8. FINANCIAL ASSURANCES.

The Secretary shall take such actions as may be necessary to ensure that—

(1) minting and issuing coins under this Act will not result in any net cost to the United States Government; and

(2) no funds, including applicable surcharges, are disbursed to any recipient designated in section 7 until the total cost of designing and issuing all of the coins authorized by this Act (including labor, materials, dies, use of machinery, winning design compensation, overhead expenses, marketing, and shipping) is recovered by the United States Treasury, consistent with sections 5112(m) and 5134(f) of title 31, United States Code.

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

The Chair recognizes the gentleman from Florida.

#### GENERAL LEAVE

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

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

There was no objection.

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

I rise in support of H.R. 2726, the Apollo 11 50th Anniversary Commemorative Coin Act, which I introduced, along with my colleague from Florida, Congresswoman FREDERICA WILSON. This has been a truly bipartisan endeavor, with 298 total cosponsors.

In 1961, President John F. Kennedy challenged the Nation with the following words:

"We choose to go to the Moon. We choose to go to the Moon in this decade and do the other things, not because they are easy, but because they are hard, because that goal will serve to organize and measure the best of our energies and skills, because that challenge is one that we are willing to accept, one we are unwilling to postpone, and one which we intend to win. . . ."

That famous speech launched the Apollo program but, more importantly, it galvanized our Nation and united us into accomplishing perhaps the greatest technological achievement in human history, and it was truly a national undertaking. An estimated 400,000 men and women from across the United States contributed to the effort. Components of the Saturn V rocket, command and service module, lunar landing module, and other critical parts were literally manufactured from every State in the Union—from Huntsville, Alabama, to Seal Beach, California; New Orleans, Louisiana, to Cedar Rapids, Iowa; and everywhere in between.

On July 16, 1969, a mere 8 years after the first American, Alan Shepard, traveled into space, a Saturn V rocket blasted off from Merritt Island, Florida, and raced to the Moon. Four days later, astronauts Neil Armstrong and Buzz Aldrin landed on the lunar surface as Michael Collins stood watch.

This legislation commemorates our Nation's commitment to space exploration, our pioneering spirit, and our unmatched ingenuity. The United States' leadership in space exploration has benefited our country's national security and economy, strengthened our international relationships, advanced scientific discovery and technology, and vastly improved life here on Earth for practically everyone.

American space exploration continues to inspire our next generation of pioneers and innovators. As such, we were deliberate in our efforts to ensure that the sale of these coins would support efforts to grow the next generation of space explorers while also honoring the courage and sacrifice of NASA astronauts lost in the line of duty.

This legislation would authorize the minting and sale in 2019 of a limited number of gold, silver, and clad coins in commemoration of the *Apollo 11* mission. The coins would be domed, with the reverse featuring a representation of a spacesuit visor similar to the famous Buzz Aldrin on the Moon photograph.

After all taxpayer costs are satisfied, surcharges on the sales price of the coins will fund college scholarships for our future scientists, engineers, and astronauts, support educational initiatives that promote space exploration, honor astronauts who have fallen in the line of duty, and memorialize this historical event through a stimulating new museum exhibit.

Mr. Speaker, July 20, 2019, will mark the 50th anniversary of the landing of the *Eagle* lunar module on the Moon's surface. We remain the only country that has ever landed humans on the Moon and returned them safely to Earth.

□ 1645

This commemorative coin will celebrate what I feel is the most awe-inspiring engineering and technological deed of the 20th century. I urge its immediate support.

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

COMMITTEE ON WAYS AND MEANS,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, December 5, 2016.

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

DEAR CHAIRMAN HENSARLING: I am writing with respect to H.R. 2726, the "Apollo 11 50th Anniversary Commemorative Coin Act." This bill contains provisions within the Rule X jurisdiction of the Committee on Ways and Means.

The Committee on Ways and Means will not seek a sequential referral on H.R. 2726 so that it may proceed expeditiously to the House floor for consideration. This is done with the understanding that the jurisdictional interests of the Committee on Ways and Means over this and similar legislation are in no way diminished or altered. In addition, the Committee reserves the right to seek conferees on H.R. 2726 and requests your support when such a request is made.

I would appreciate your response confirming this understanding with respect to H.R. 2726 and ask that a copy of our exchange of letters on this matter be included in the Congressional Record during consideration of the bill on the House floor.

Sincerely,

KEVIN BRADY,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON FINANCIAL SERVICES,  
Washington, DC, December 5, 2016.

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

DEAR CHAIRMAN BRADY: Thank you for your December 5th letter regarding H.R. 2726, the "Apollo 11 50th Anniversary Commemorative Coin Act."

I am most appreciative of your decision to forego action on H.R. 2726 so that it may move expeditiously to the House floor. I acknowledge that although you are waiving action on the bill, the Committee on Ways and Means is in no way waiving its jurisdictional interest in this or similar legislation. In addition, if a conference is necessary on this legislation, I will support any request that your committee be represented therein.

Finally, I shall be pleased to include your letter and this letter on H.R. 2726 in the Congressional Record during floor consideration of the same.

Sincerely,

JEB HENSARLING,  
Chairman.



HOUSE OF REPRESENTATIVES,  
COMMITTEE ON THE BUDGET,  
Washington, DC, November 29, 2016.

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

DEAR CHAIRMAN HENSARLING: I am writing concerning H.R. 2726, the Apollo 11: 50th Anniversary Commemorative Coin Act, which the House is expected to consider the week of December 5th.

Section 9 of the bill includes budgetary compliance language, which falls under the jurisdiction of the Committee on the Budget. It is my understanding that this language will be removed from the bill prior to House consideration. In order to expedite House consideration of H.R. 2726, the Committee will forgo action on the bill. This is being done with the understanding that it does not in any way prejudice the Committee with respect to its jurisdictional prerogatives on this or similar legislation.

I would appreciate your response to this letter, confirming this understanding with respect to H.R. 2726 and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration.

Sincerely,

TOM PRICE, M.D.,  
Chairman, Committee on the Budget.

HOUSE OF REPRESENTATIVES,  
COMMITTEE FINANCIAL SERVICES,  
Washington, DC, November 30, 2016.

Hon. TOM PRICE,  
Chairman, Committee on the Budget,  
Washington, DC.

DEAR CHAIRMAN PRICE: Thank you for your November 30th letter regarding H.R. 2726, the "Apollo 11 50th Anniversary Commemorative Coin Act."

I am most appreciative of your decision to forego action on H.R. 2726 so that it may move expeditiously to the House floor. I acknowledge that although you are waiving action on the bill, the Committee on the Budget is in no way waiving its jurisdictional interest in this or similar legislation. In addition, if a conference is necessary on this legislation, I will support any request that your committee be represented therein.

Finally, I shall be pleased to include your letter and this letter on H.R. 2726 in the Congressional Record during floor consideration of the same.

Sincerely,

JEB HENSARLING,  
Chairman.

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

Mr. Speaker, I rise to speak in favor of H.R. 2726, legislation that will authorize the issuance of gold, silver, and clad coins in commemoration of the 50th anniversary of the first time in history that mankind successfully completed a crewed lunar landing.

The Apollo 11 mission was a momentous occasion in its own right, but it was also a bittersweet achievement, as it also served as a reminder of the first Apollo mission, whose courage we will never forget.

I am pleased that, in addition to honoring the Apollo 11 crew, the legislation before us today also recognizes the estimated 400,000 Americans who contributed to make possible the Apollo 11 mission. By calling on the Treasury Department to mint and issue coins in honor of Apollo 11, I hope that we will

continue to remind all Americans of the boundlessness of what can be achieved when we set our sights high and, quite literally, aim for the Moon.

I also hope the coin minted as part of this legislation will show our young people just how exciting the fields of science, mathematics, and engineering can be and how critical they are to building a brighter future for all.

By ensuring that a quarter of the proceeds raised will be made available to the Astronaut Scholarship Foundation to make college scholarships available for students pursuing degrees in science, technology, engineering, and mathematics, the legislation before us will make one step towards opening up these fields to our best and brightest.

The remaining surcharges associated with the sale of the coins will go towards the Smithsonian Institution's National Air and Space Museum's Destination Moon exhibit and be provided to the Astronauts Memorial Foundation for maintenance of the memorial and to further educational initiatives.

For these reasons, I hope all Members will support the legislation before us.

Mr. Speaker, I yield 3 minutes to the gentlewoman from Florida (Ms. WILSON), who has been a champion for this important legislation.

Ms. WILSON of Florida. Mr. Speaker, I rise today to express my full support for the passage of H.R. 2726, the Apollo 11 50th Anniversary Commemorative Coin Act.

I want to thank my longtime friend and Florida colleague, Representative POSEY, for his outstanding leadership as the sponsor of this bill. I am proud to have worked very closely with him to build bipartisan support for this legislation. I also want to thank Speaker RYAN, Chairman HENSARLING, Ranking Member WATERS, and the Financial Services Committee for their work to bring this bill to the floor.

Mr. Speaker, the bill before us today authorizes the minting and distribution of commemorative coins to celebrate the 50th anniversary of the first manned lunar landing mission, Apollo 11. These coins will honor Apollo 11 crew members, Michael Collins, Buzz Aldrin, and Neil Armstrong; NASA scientists, engineers, and astronauts; and the other 400,000 Americans who made the mission possible.

Surcharges from the sale of these coins will further our commitment to promote STEM education, space exploration, and science discovery. It will honor astronauts who lost their lives in service of our country and support the Destination Moon exhibit, which will feature exciting Apollo 11 artifacts.

As a former elementary school principal and leading advocate for STEM education, I am very happy that this bill supports college scholarships for future scientists, engineers, and astronauts.

Mr. Speaker, the Apollo 11 mission is a testament to our values as Ameri-

cans. The mission's success reminded the world of our commitment to hard work, determination, and patriotism.

When many questioned whether we could rise to the challenge of putting a man on the Moon within a decade, we came together, worked our hardest, and achieved this daunting task in just 8 years. We left the world in awe and wonder.

When our astronauts were 4 miles past the designated landing spot and mission control told them that they had just 60 seconds of fuel left before the landing would have to be aborted, they did not panic. With unrelenting resolve, they managed to land on the Moon with only 17 seconds to spare. When Buzz Aldrin and Neil Armstrong planted our flag on the Moon, millions of Americans felt a sense of pride that was exhilarating and inspiring.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Ms. VELÁZQUEZ. Mr. Speaker, I yield the gentlewoman an additional 30 seconds.

Ms. WILSON of Florida. As Members of Congress, we should look to Apollo 11 as inspiration as we work to tackle challenges that seem unsurmountable. I urge all of my colleagues to join me in voting for this bipartisan legislation, which has 298 cosponsors and the support of Buzz Aldrin and Michael Collins, Apollo 11's two surviving astronauts.

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

Mr. Speaker, basically, I will say that it is an honor for me to support this bill and this legislation. I ask all my colleagues to support it.

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

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

Mr. Speaker, we owe a debt of gratitude to the brave astronauts of the Apollo program, some of whom made the ultimate sacrifice in the line of duty. We are beholden to the hundreds of thousands of men and women who, when challenged to go to the Moon in this decade, accepted the challenge with a passion and a resolve that accomplished that which was thought unachievable.

I want to thank the chairman and the ranking member for their leadership and support of this legislation. Of course, finally, I want to express my sincere gratitude to my longtime friend and colleague from Florida, (Ms. WILSON), for her staunch support and tireless efforts to ensure that this remarkable achievement is commemorated.

Mr. Speaker, we have one opportunity to celebrate this historical event with a commemorative coin. I urge my colleagues to join me in supporting this bill.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr.

POSEY) that the House suspend the rules and pass the bill, H.R. 2726, as amended.

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

A motion to reconsider was laid on the table.

## CREATING FINANCIAL PROSPERITY FOR BUSINESSES AND INVESTORS ACT

Mr. GARRETT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6427) to improve the operation of United States capital markets, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6427

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

### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Creating Financial Prosperity for Businesses and Investors Act”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

#### TITLE I—SMALL BUSINESS CAPITAL FORMATION ENHANCEMENT

Sec. 101. Annual review of government-business forum on capital formation.

#### TITLE II—SEC SMALL BUSINESS ADVOCATE

Sec. 201. Establishment of Office of the Advocate for Small Business Capital Formation and Small Business Capital Formation Advisory Committee.

#### TITLE III—SUPPORTING AMERICA’S INNOVATORS

Sec. 301. Investor limitation for qualifying venture capital funds.

#### TITLE IV—FIX CROWDFUNDING

Sec. 401. Crowdfunding vehicles.

Sec. 402. Crowdfunding exemption from registration.

#### TITLE V—FAIR INVESTMENT OPPORTUNITIES FOR PROFESSIONAL EXPERTS

Sec. 501. Definition of accredited investor.

#### TITLE VI—U.S. TERRITORIES INVESTOR PROTECTION

Sec. 601. Termination of exemption.

#### TITLE I—SMALL BUSINESS CAPITAL FORMATION ENHANCEMENT

### SEC. 101. ANNUAL REVIEW OF GOVERNMENT-BUSINESS FORUM ON CAPITAL FORMATION.

Section 503 of the Small Business Investment Incentive Act of 1980 (15 U.S.C. 80c-1) is amended by adding at the end the following:

“(e) The Commission shall—

“(1) review the findings and recommendations of the forum; and

“(2) each time the forum submits a finding or recommendation to the Commission, promptly issue a public statement—

“(A) assessing the finding or recommendation of the forum; and

“(B) disclosing the action, if any, the Commission intends to take with respect to the finding or recommendation.”.

### TITLE II—SEC SMALL BUSINESS ADVOCATE

#### SEC. 201. ESTABLISHMENT OF OFFICE OF THE ADVOCATE FOR SMALL BUSINESS CAPITAL FORMATION AND SMALL BUSINESS CAPITAL FORMATION ADVISORY COMMITTEE.

(a) OFFICE OF THE ADVOCATE FOR SMALL BUSINESS CAPITAL FORMATION.—Section 4 of the Securities Exchange Act of 1934 (15 U.S.C. 78d) is amended by adding at the end the following:

“(j) OFFICE OF THE ADVOCATE FOR SMALL BUSINESS CAPITAL FORMATION.—

“(1) OFFICE ESTABLISHED.—There is established within the Commission the Office of the Advocate for Small Business Capital Formation (hereafter in this subsection referred to as the “Office”).

“(2) ADVOCATE FOR SMALL BUSINESS CAPITAL FORMATION.—

“(A) IN GENERAL.—The head of the Office shall be the Advocate for Small Business Capital Formation, who shall—

“(i) report directly to the Commission; and

“(ii) be appointed by the Commission, from among individuals having experience in advocating for the interests of small businesses and encouraging small business capital formation.

“(B) COMPENSATION.—The annual rate of pay for the Advocate for Small Business Capital Formation shall be equal to the highest rate of annual pay for other senior executives who report directly to the Commission.

“(C) NO CURRENT EMPLOYEE OF THE COMMISSION.—An individual may not be appointed as the Advocate for Small Business Capital Formation if the individual is currently employed by the Commission.

“(3) STAFF OF OFFICE.—The Advocate for Small Business Capital Formation, after consultation with the Commission, may retain or employ independent counsel, research staff, and service staff, as the Advocate for Small Business Capital Formation determines to be necessary to carry out the functions of the Office.

“(4) FUNCTIONS OF THE ADVOCATE FOR SMALL BUSINESS CAPITAL FORMATION.—The Advocate for Small Business Capital Formation shall—

“(A) assist small businesses and small business investors in resolving significant problems such businesses and investors may have with the Commission or with self-regulatory organizations;

“(B) identify areas in which small businesses and small business investors would benefit from changes in the regulations of the Commission or the rules of self-regulatory organizations;

“(C) identify problems that small businesses have with securing access to capital, including any unique challenges to minority-owned and women-owned small businesses;

“(D) analyze the potential impact on small businesses and small business investors of—

“(i) proposed regulations of the Commission that are likely to have a significant economic impact on small businesses and small business capital formation; and

“(ii) proposed rules that are likely to have a significant economic impact on small businesses and small business capital formation of self-regulatory organizations registered under this title;

“(E) conduct outreach to small businesses and small business investors, including through regional roundtables, in order to solicit views on relevant capital formation issues;

“(F) to the extent practicable, propose to the Commission changes in the regulations or orders of the Commission and to Congress any legislative, administrative, or personnel changes that may be appropriate to mitigate problems identified under this paragraph and

to promote the interests of small businesses and small business investors;

“(G) consult with the Investor Advocate on proposed recommendations made under subparagraph (F); and

“(H) advise the Investor Advocate on issues related to small businesses and small business investors.

“(5) ACCESS TO DOCUMENTS.—The Commission shall ensure that the Advocate for Small Business Capital Formation has full access to the documents and information of the Commission and any self-regulatory organization, as necessary to carry out the functions of the Office.

“(6) ANNUAL REPORT ON ACTIVITIES.—

“(A) IN GENERAL.—Not later than December 31 of each year after 2016, the Advocate for Small Business Capital Formation shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report on the activities of the Advocate for Small Business Capital Formation during the immediately preceding fiscal year.

“(B) CONTENTS.—Each report required under subparagraph (A) shall include—

“(i) appropriate statistical information and full and substantive analysis;

“(ii) information on steps that the Advocate for Small Business Capital Formation has taken during the reporting period to improve small business services and the responsiveness of the Commission and self-regulatory organizations to small business and small business investor concerns;

“(iii) a summary of the most serious issues encountered by small businesses and small business investors, including any unique issues encountered by minority-owned and women-owned small businesses and their investors, during the reporting period;

“(iv) an inventory of the items summarized under clause (iii) (including items summarized under such clause for any prior reporting period on which no action has been taken or that have not been resolved to the satisfaction of the Advocate for Small Business Capital Formation as of the beginning of the reporting period covered by the report) that includes—

“(I) identification of any action taken by the Commission or the self-regulatory organization and the result of such action;

“(II) the length of time that each item has remained on such inventory; and

“(III) for items on which no action has been taken, the reasons for inaction, and an identification of any official who is responsible for such action;

“(v) recommendations for such changes to the regulations, guidance and orders of the Commission and such legislative actions as may be appropriate to resolve problems with the Commission and self-regulatory organizations encountered by small businesses and small business investors and to encourage small business capital formation; and

“(vi) any other information, as determined appropriate by the Advocate for Small Business Capital Formation.

“(C) CONFIDENTIALITY.—No report required by subparagraph (A) may contain confidential information.

“(D) INDEPENDENCE.—Each report required under subparagraph (A) shall be provided directly to the committees of Congress listed in such subparagraph without any prior review or comment from the Commission, any commissioner, any other officer or employee of the Commission, or the Office of Management and Budget.

“(7) REGULATIONS.—The Commission shall establish procedures requiring a formal response to all recommendations submitted to the Commission by the Advocate for Small



Business Capital Formation, not later than 3 months after the date of such submission.

“(8) GOVERNMENT-BUSINESS FORUM ON SMALL BUSINESS CAPITAL FORMATION.—The Advocate for Small Business Capital Formation shall be responsible for planning, organizing, and executing the annual Government-Business Forum on Small Business Capital Formation described in section 503 of the Small Business Investment Incentive Act of 1980 (15 U.S.C. 80c-1).

“(9) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed as replacing or reducing the responsibilities of the Investor Advocate with respect to small business investors.”.

(b) SMALL BUSINESS CAPITAL FORMATION ADVISORY COMMITTEE.—Title I of the Securities Exchange Act of 1934 (15 U.S.C. 78a et seq.) is amended by adding at the end the following:

**“SEC. 40. SMALL BUSINESS CAPITAL FORMATION ADVISORY COMMITTEE.**

“(a) ESTABLISHMENT AND PURPOSE.—

“(1) ESTABLISHMENT.—There is established within the Commission the Small Business Capital Formation Advisory Committee (hereafter in this section referred to as the ‘Committee’).

“(2) FUNCTIONS.—

“(A) IN GENERAL.—The Committee shall provide the Commission with advice on the Commission’s rules, regulations, and policies with regard to the Commission’s mission of protecting investors, maintaining fair, orderly, and efficient markets, and facilitating capital formation, as such rules, regulations, and policies relate to—

“(i) capital raising by emerging, privately held small businesses (‘emerging companies’) and publicly traded companies with less than \$250,000,000 in public market capitalization (‘smaller public companies’) through securities offerings, including private and limited offerings and initial and other public offerings;

“(ii) trading in the securities of emerging companies and smaller public companies; and

“(iii) public reporting and corporate governance requirements of emerging companies and smaller public companies.

“(B) LIMITATION.—The Committee shall not provide any advice with respect to any policies, practices, actions, or decisions concerning the Commission’s enforcement program.

“(b) MEMBERSHIP.—

“(1) IN GENERAL.—The members of the Committee shall be—

“(A) the Advocate for Small Business Capital Formation;

“(B) not fewer than 10, and not more than 20, members appointed by the Commission, from among individuals—

“(i) who represent—

“(I) emerging companies engaging in private and limited securities offerings or considering initial public offerings (‘IPO’) (including the companies’ officers and directors);

“(II) the professional advisors of such companies (including attorneys, accountants, investment bankers, and financial advisors); and

“(III) the investors in such companies (including angel investors, venture capital funds, and family offices);

“(ii) who are officers or directors of minority-owned small businesses or women-owned small businesses;

“(iii) who represent—

“(I) smaller public companies (including the companies’ officers and directors);

“(II) the professional advisors of such companies (including attorneys, auditors, underwriters, and financial advisors); and

“(III) the pre-IPO and post-IPO investors in such companies (both institutional, such as venture capital funds, and individual, such as angel investors); and

“(iv) who represent participants in the marketplace for the securities of emerging companies and smaller public companies, such as securities exchanges, alternative trading systems, analysts, information processors, and transfer agents; and

“(C) three non-voting members—

“(i) one of whom shall be appointed by the Investor Advocate;

“(ii) one of whom shall be appointed by the North American Securities Administrators Association; and

“(iii) one of whom shall be appointed by the Administrator of the Small Business Administration.

“(2) TERM.—Each member of the Committee appointed under subparagraph (B), (C)(ii), or (C)(iii) of paragraph (1) shall serve for a term of 4 years.

“(3) MEMBERS NOT COMMISSION EMPLOYEES.—Members appointed under subparagraph (B), (C)(ii), or (C)(iii) of paragraph (1) shall not be treated as employees or agents of the Commission solely because of membership on the Committee.

“(c) CHAIRMAN; VICE CHAIRMAN; SECRETARY; ASSISTANT SECRETARY.—

“(1) IN GENERAL.—The members of the Committee shall elect, from among the members of the Committee—

“(A) a chairman;

“(B) a vice chairman;

“(C) a secretary; and

“(D) an assistant secretary.

“(2) TERM.—Each member elected under paragraph (1) shall serve for a term of 3 years in the capacity for which the member was elected under paragraph (1).

“(d) MEETINGS.—

“(1) FREQUENCY OF MEETINGS.—The Committee shall meet—

“(A) not less frequently than four times annually, at the call of the chairman of the Committee; and

“(B) from time to time, at the call of the Commission.

“(2) NOTICE.—The chairman of the Committee shall give the members of the Committee written notice of each meeting, not later than 2 weeks before the date of the meeting.

“(e) COMPENSATION AND TRAVEL EXPENSES.—Each member of the Committee who is not a full-time employee of the United States shall—

“(1) be entitled to receive compensation at a rate not to exceed the daily equivalent of the annual rate of basic pay in effect for a position at level V of the Executive Schedule under section 5316 of title 5, United States Code, for each day during which the member is engaged in the actual performance of the duties of the Committee; and

“(2) while away from the home or regular place of business of the member in the performance of services for the Committee, be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703 of title 5, United States Code.

“(f) STAFF.—The Commission shall make available to the Committee such staff as the chairman of the Committee determines are necessary to carry out this section.

“(g) REVIEW BY COMMISSION.—The Commission shall—

“(1) review the findings and recommendations of the Committee; and

“(2) each time the Committee submits a finding or recommendation to the Commission, promptly issue a public statement—

“(A) assessing the finding or recommendation of the Committee; and

“(B) disclosing the action, if any, the Commission intends to take with respect to the finding or recommendation.

“(h) FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply with respect to the Committee and its activities.”.

(c) ANNUAL GOVERNMENT-BUSINESS FORUM ON SMALL BUSINESS CAPITAL FORMATION.—Section 503(a) of the Small Business Investment Incentive Act of 1980 (15 U.S.C. 80c-1(a)) is amended by inserting “(acting through the Office of the Advocate for Small Business Capital Formation and in consultation with the Small Business Capital Formation Advisory Committee)” after “Securities and Exchange Commission”.

**TITLE III—SUPPORTING AMERICA'S INNOVATORS**

**SEC. 301. INVESTOR LIMITATION FOR QUALIFYING VENTURE CAPITAL FUNDS.**

Section 3(c)(1) of the Investment Company Act of 1940 (15 U.S.C. 80a-3(c)(1)) is amended—

(1) by inserting after “one hundred persons” the following: “(or, with respect to a qualifying venture capital fund, 250 persons)”;

(2) by adding at the end the following:

“(C) The term ‘qualifying venture capital fund’ means any venture capital fund (as defined pursuant to section 203(1)(1) of the Investment Advisers Act of 1940 (15 U.S.C. 80b-3(1)(1)) with no more than \$10,000,000 in invested capital, as such dollar amount is annually adjusted by the Commission to reflect the change in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.”.

**TITLE IV—FIX CROWDFUNDING**

**SEC. 401. CROWDFUNDING VEHICLES.**

(a) AMENDMENTS TO THE SECURITIES ACT OF 1933.—The Securities Act of 1933 (15 U.S.C. 77a et seq.) is amended—

(1) in section 4A(f)(3), by inserting “by any of paragraphs (1) through (14) of” before “section 3(c)”;

(2) in section 4(a)(6)(B), by inserting after “any investor” the following: “, other than a crowdfunding vehicle (as defined in section 2(a) of the Investment Company Act of 1940).”.

(b) AMENDMENTS TO THE INVESTMENT COMPANY ACT OF 1940.—The Investment Company Act of 1940 (15 U.S.C. 80a-1 et seq.) is amended—

(1) in section 2(a), by adding at the end the following:

“(55) The term ‘crowdfunding vehicle’ means a company—

“(A) whose purpose (as set forth in its organizational documents) is limited to acquiring, holding, and disposing securities issued by a single company in one or more transactions and made pursuant to section 4(a)(6) of the Securities Act of 1933;

“(B) which issues only one class of securities;

“(C) which receives no compensation in connection with such acquisition, holding, or disposition of securities;

“(D) no associated person of which receives any compensation in connection with such acquisition, holding or disposition of securities unless such person is acting as or on behalf of an investment adviser registered under the Investment Advisers Act of 1940 or registered as an investment adviser in the State in which the investment adviser maintains its principal office and place of business;

“(E) the securities of which have been issued in a transaction made pursuant to section 4(a)(6) of the Securities Act of 1933, where both the crowdfunding vehicle and the company whose securities it holds are co-issuers;

“(F) which is current in its ongoing disclosure obligations under Rule 202 of Regulation Crowdfunding (17 C.F.R. 227.202);

“(G) the company whose securities it holds is current in its ongoing disclosure obligations under Rule 202 of Regulation Crowdfunding (17 C.F.R. 227.202); and

“(H) is advised by an investment adviser registered under the Investment Advisers Act of 1940 or registered as an investment adviser in the State in which the investment adviser maintains its principal office and place of business.”; and

(2) in section 3(c), by adding at the end the following:

“(15) Any crowdfunding vehicle.”.

**SEC. 402. CROWDFUNDING EXEMPTION FROM REGISTRATION.**

Section 12(g)(6) of the Securities Exchange Act of 1934 (15 U.S.C. 78l(g)(6)) is amended—

(1) by striking “The Commission” and inserting the following:

“(A) IN GENERAL.—The Commission”;

(2) by striking “section 4(6)” and inserting “section 4(a)(6)”; and

(3) by adding at the end the following:

“(B) TREATMENT OF SECURITIES ISSUED BY CERTAIN ISSUERS.—An exemption under subparagraph (A) shall be unconditional for securities offered by an issuer that had a public float of less than \$75,000,000 as of the last business day of the issuer’s most recently completed semiannual period, computed by multiplying the aggregate worldwide number of shares of the issuer’s common equity securities held by non-affiliates by the price at which such securities were last sold (or the average bid and asked prices of such securities) in the principal market for such securities or, in the event the result of such public float calculation is zero, had annual revenues of less than \$50,000,000 as of the issuer’s most recently completed fiscal year.”.

**TITLE V—FAIR INVESTMENT OPPORTUNITIES FOR PROFESSIONAL EXPERTS**

**SEC. 501. DEFINITION OF ACCREDITED INVESTOR.**

Section 2(a)(15) of the Securities Act of 1933 (15 U.S.C. 77b(a)(15)) is amended—

(1) by redesignating clauses (i) and (ii) as subparagraphs (A) and (F), respectively; and

(2) in subparagraph (A) (as so redesignated), by striking “; or” and inserting a semicolon, and inserting after such subparagraph the following:

“(B) any natural person whose individual net worth, or joint net worth with that person’s spouse, exceeds \$1,000,000 (which amount, along with the amounts set forth in subparagraph (C), shall be adjusted for inflation by the Commission every 5 years to the nearest \$10,000 to reflect the change in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics) where, for purposes of calculating net worth under this subparagraph—

“(i) the person’s primary residence shall not be included as an asset;

“(ii) indebtedness that is secured by the person’s primary residence, up to the estimated fair market value of the primary residence at the time of the sale of securities, shall not be included as a liability (except that if the amount of such indebtedness outstanding at the time of sale of securities exceeds the amount outstanding 60 days before such time, other than as a result of the acquisition of the primary residence, the amount of such excess shall be included as a liability); and

“(iii) indebtedness that is secured by the person’s primary residence in excess of the estimated fair market value of the primary residence at the time of the sale of securities shall be included as a liability;

“(C) any natural person who had an individual income in excess of \$200,000 in each of

the two most recent years or joint income with that person’s spouse in excess of \$300,000 in each of those years and has a reasonable expectation of reaching the same income level in the current year;

“(D) any natural person who is currently licensed or registered as a broker or investment adviser by the Commission, the Financial Industry Regulatory Authority, or an equivalent self-regulatory organization (as defined in section 3(a)(26) of the Securities Exchange Act of 1934), or the securities division of a State or the equivalent State division responsible for licensing or registration of individuals in connection with securities activities;

“(E) any natural person the Commission determines, by regulation, to have demonstrable education or job experience to qualify such person as having professional knowledge of a subject related to a particular investment, and whose education or job experience is verified by the Financial Industry Regulatory Authority or an equivalent self-regulatory organization (as defined in section 3(a)(26) of the Securities Exchange Act of 1934); or”.

**TITLE VI—U.S. TERRITORIES INVESTOR PROTECTION**

**SEC. 601. TERMINATION OF EXEMPTION.**

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

(b) EFFECTIVE DATE AND SAFE HARBOR.—

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

(2) SAFE HARBOR.—With respect to a company that is exempt under section 6(a)(1) of the Investment Company Act of 1940 (15 U.S.C. 80a-6(a)(1)) on the day before the date of the enactment of this Act, the amendment made by subsection (a) shall take effect on the date that is 3 years after the date of the enactment of this Act.

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

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

The Chair recognizes the gentleman from New Jersey.

**GENERAL LEAVE**

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

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

There was no objection.

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

Mr. Speaker, I rise today in support of H.R. 6427, the Creating Financial Prosperity for Businesses and Investors Act. It is a compilation of legislative

initiatives that the Financial Services Committee has worked on in a very constructive and bipartisan manner during the 114th Congress.

For 6 years, our committee, and, in particular, the Subcommittee on Capital Markets and Government Sponsored Enterprises, has sought to break through the bipartisan gridlock in Washington and to ensure that the SEC, or the Securities and Exchange Commission, fulfills an important part of its mission to facilitate capital formation.

For example, the JOBS Act of 2012, much of which originated in our committee, has already been a measurable success, as hundreds of companies have used its provisions to file for an initial public offering, and other businesses have been able to raise well over \$50 billion worth of capital through private channels.

Altogether, this translates to more growth, more innovation, and, most importantly, more jobs here for Americans who have been struggling in an economy that is producing only 1-2 percent growth, at best.

We didn’t stop at the JOBS Act, and both Republicans and Democrats on our committee came together and continued to generate good ideas that modernize our Nation’s security laws for the benefit of the small- and medium-sized enterprises, which often pay a disproportionate share of the costs that come along with regulation.

For example, during this Congress, our subcommittee has put forward nearly 40 bills to do just that, the vast majority of which gained, again, bipartisan support in both committee and here on the House floor. A year ago this month, a number of these measures were signed into law at the White House by the President.

Today, we bring together a package of another six bills on the House floor with the hopes that we, once again, can improve the environment in which entrepreneurs and small businesses can operate.

The provisions under H.R. 6427 include the following:

First, a bill from Mr. CARNEY and Mr. DUFFY that would create an Office of the Advocate for Small Business Capital Formation at the SEC. For too long, Mr. Speaker, the SEC has operated in a bureaucratic silo and ignored the needs of small and growing businesses and entrepreneurs. So we have Mr. DUFFY’s bill, which gives small businesses a permanent voice at the SEC, and it passed out of committee unanimously by a vote of 56-0. It also passed in the House overwhelmingly.

Secondly, Mr. Speaker, is a bill from Mr. POLIQUIN that would require the SEC to respond to recommendations made at its annual government small business forum, ensuring that the SEC no longer simply ignores the ideas generated by small businesses at this event. This bill, again, passed our committee by a vote of 55-1 and passed the House by a vote of 390-1 earlier this year.

It also includes two bills from Mr. MCHENRY, who is on the floor and will be speaking later, one which would fix some of the more unworkable provisions of the crowd funding title of the JOBS Act, and a second bill that would modernize the threshold for when venture capital funds would have to register with the SEC. Again, there was huge bipartisan support, both passing out of committee 57-2 and garnering near-unanimous support here on the House floor.

There are two more.

Another title includes a bill from DAVE SCHWEIKERT that would reform the definition of an accredited investor for certain securities offerings so that it is not just the wealthy or the well-connected who are able to invest in these companies. This bill passed the House earlier, again, with near-unanimous support.

Finally, we have a bill from our Democratic colleague, Ms. VELÁZQUEZ, that would make a technical correction to an outdated law that exempts investment companies from having to register in U.S. territories.

In conclusion, Mr. Speaker, H.R. 6427 contains innovation and much-needed legislation to help get our economy off the slow growth track that it has been on for too long, and it continues the good bipartisanship that our committee is known for.

I want to take this moment to thank all my colleagues over the years for their hard work and willingness to work with us in a bipartisan manner to move legislation like this.

□ 1700

In particular, I thank our chairman, JEB HENSARLING, for his tremendous leadership of our full Financial Services Committee and for all the work that he has done to improve our capital markets in this country and to create a financial system that works for the benefit of all Americans.

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

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

I rise in support of H.R. 6427, a bipartisan package of commonsense measures that will help small businesses raise capital and better protect investors and retirees of the U.S. territories.

Today's bill contains numerous bipartisan solutions to ensure the SEC is more responsive to small business regulatory concerns. For example, it creates a new Office of the Advocate for Small Business Capital Formation and a new Small Business Advisory Committee. Taken together, these efforts will ensure the agency is more responsive to entrepreneurs' needs.

Furthermore, we have all heard that demand for small business capital outstrips supply. H.R. 6427 makes targeted changes to attract more investors to the small business market. By expanding definition of accredited investor, raising the investor cap on small ven-

ture capital funds, and making improvements to the equity crowdfunding rules implemented under the JOBS Act, this bill will help more startups and fast-growing businesses secure financing.

Beyond the small business provisions, today's bill will provide investors and retirees in Puerto Rico and other U.S. territories the same protections as their mainland counterparts. For 7 decades, the Investment Company Act of 1940 provided U.S. investors with basic safeguards, regulating everything from leverage limits to capitalization levels, to preventing conflicts of interest.

Due to a historical artifact, however, all funds located in and sold only to residents of U.S. territories are exempted from the act. The reason is U.S. territories were deemed to be too geographically distant from Washington, D.C. Obviously, the cost of air travel today is no longer an issue. Regulators routinely travel to Hawaii and Alaska to conduct oversight. In fact, SEC Chair White testified earlier this year that the exemption should be removed.

To close the loophole and provide territorial residents with the protections they deserve, I introduced the U.S. Territories Investor Protection Act. Over the past year, we met with stakeholders, heard their concerns and further fine-tuned the bill.

Investment companies will have an initial 3-year compliance period, with an option at the approval of the SEC, for an additional 3 years. This balances investor protections while granting more than reasonable time for financial institutions to comply. It is important to note that if investment companies need further relief, they are able to request such a reprieve under existing law.

I thank Chairman HENSARLING, Ranking Member WATERS, and Congressman GARRETT for working with me on this provision. Their cooperation was critical to developing an approach that would apply the act in a manner sensitive to investors and investment companies alike.

In sum, I will argue that this is a strong bill. It will reduce compliance costs, facilitate access to capital for thousands of small businesses, and better protect investors and retirees in territories like Puerto Rico.

I urge Members to support this legislation, and I reserve the balance of my time.

Mr. GARRETT. Mr. Speaker, I yield such time as he may consume to the gentleman from North Carolina (Mr. MCHENRY). I appreciate all of his hard work for the JOBS Act and all the rest of his work as vice chair of the committee and the time together that we had.

Mr. MCHENRY. Mr. Speaker, I thank my colleague for his kind words and for his leadership on important issues in the capital markets.

Today I rise to support the Creating Financial Prosperity for Businesses and Investors Act.

Mr. Speaker, the title doesn't do the act justice. This is about helping families, communities, small businesses, entrepreneurs, those that are risk-takers in our society trying to make our society better, more prosperous, and helping families and communities like the one I represent in western North Carolina be better off. We need a growing economy to help families, to help small businesses, to help make us more prosperous as Americans.

So this act deals with a couple of those areas in particular for families, small businesses, and entrepreneurs so they can gain greater access to lending, to loans, to capital that they need to help businesses grow and create jobs.

Two of those bills, to that end, I authored earlier this year, which we passed with over 400 votes, as individual stand-alone items through the House of Representatives. Those two bills, Supporting America's Innovators Act, and the Fix Crowdfunding Act, in particular, amend existing securities laws to make it easier for small businesses and entrepreneurs to use innovative forms of capital formation. Investment crowdfunding and angel investing are two of those areas, in particular, to support those ideas that enable us to create jobs.

Those two bills were a part of the larger package, that are a part of the innovation initiative that Leader MCCARTHY and I launched at the beginning of this year. A number of bills have moved through the House with wide bipartisan support that update outdated laws.

So, today, this package is an important step in the right direction; but our work is not done. We have to continue to work with our Federal regulators and Members on both sides of the aisle to ensure that we update and ensure investment crowdfunding, angel investing, and other areas of innovation can actually be better deployed across our society and to more people.

I urge my colleagues to vote "yes" and ensure this bipartisan bill has wide approval here in the House today.

Ms. VELÁZQUEZ. Mr. Speaker, I continue to reserve the balance of my time.

Mr. GARRETT. Mr. Speaker, I yield such time as he may consume to the gentleman from Arizona (Mr. SCHWEIKERT).

Mr. SCHWEIKERT. Mr. Speaker, I am here to speak about one of the ideas in this package that I have, shall we say, 5 or 6 years in; and the interesting thing, it was a conversation back and forth with a number of Democrats on the other side. It was one of those—it started as sort of a philosophical debate.

Often you hear us fussing at each other here on the floor, and we will get into these debates of, well, the concentration of wealth in the country;

you know, the number of folks who now hold so much wealth.

Yet, if you take a step backwards and look at the way we have our laws set up in this country, we don't decide that you get to invest in certain types of activities because of your talent. We don't decide you get to invest in certain activities because you are an expert in the technology or the business model.

We actually have a series of rules that, if you have \$1 million, you and your wife have a certain income, then you are allowed to invest. You think about that. So if I came to you right now and said, I am going to judge you by the size of your bank account and not by your competence, that would be pretty outrageous.

I guess for years and years, none of us had really sort of talked about it, thought about it in that way, that the arbitrary rules that the SEC and we had allowed to continue were a world where we judged people by their wealth and then gave them additional opportunities instead of handing those same opportunities to people because of their expertise in investing or the technology, their expertise in understanding the risk profile of such technology. I am hoping that is where we are heading.

There was a number of compromises to make both sides feel comfortable, and that is actually one of the reasons we had such a bipartisan vote; and to that, I also thank my friend, Chairman GARRETT. I am going to miss you because you have worked hard to shepherd many of these concepts through for years now.

I think this is a great start because we are going to start judging our brothers and sisters by their talents and not necessarily their bank account size, and that is why I am so happy on this one.

Ms. VELÁZQUEZ. Mr. Speaker, I am prepared to close. I yield myself such time as I may consume.

Mr. Speaker, access to capital is the lifeblood of every business. By expanding the pool of accredited investors and venture capital firms, improving the equity crowdfunding rules, and giving small business a bigger voice in SEC decisionmaking, H.R. 6427 provides the tools necessary to inject much-needed equity capital into our Main Street businesses.

Finally, closing the U.S. territories loophole in the Investment Company Act of 1940 will harmonize regulatory oversight and give millions of investors and retirees, mostly in Puerto Rico, the peace of mind that their hard-earned money will receive the same level of protection afforded to those on the mainland.

I thank the chairman, ranking member, and all of the cosponsors for their hard work in bringing this bipartisan package to the floor. I urge Members to support this bill, and I yield back the balance of my time.

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

I rise again to support the legislation. It dawns on me also that, as I rise today, this may be the last time that I rise on the floor. So let me just say what an honor it has been to stand at this podium to bring forth legislation like this, as I have done over the last 14 years, and to end where I began, to do so in a bipartisan manner, that they tell me we should be able to pass through today in a pretty overwhelmingly bipartisan manner as well.

The gentleman from Arizona ended his remarks with the statement: Every day is a new beginning.

So I look at that as my days ahead. This legislation is a new beginning for capital formation and is a new beginning for bipartisanship in future legislation as well.

I thank my colleagues from the other side of the aisle that I have had the honor and privilege to work with on this legislation and other legislation as well. I thank my colleagues from my side of the aisle that I have had similar opportunity to do so as well. We have gone through challenging times, from good economic times and bad—maybe more bad than good—but, through it all, I think we have done so with the American public's interest in mind.

Behind me also are some of our members of our committee who I also wish to recognize for their work as well. They have left a profound impact on myself during the time that I have known them, and I thank them humbly for their being willing to put up with me and to deal with me throughout the years, but be able to work together for the benefit of the American public as well.

I think that, together, we have done great things. I look forward to watching what other great things will be done in a bipartisan manner as well.

I think my time may be just about out, but let me also just say this as well. I want to end where I began, which was thanking the chairman of this committee, Mr. JEB HENSARLING, for his leadership and, most importantly, for his friendship in the years I have known him in this capacity.

I urge every Member to support the underlying legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. GARRETT) that the House suspend the rules and pass the bill, H.R. 6427.

The question was taken.

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

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

The yeas and nays were ordered.

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

□ 1715

## COMBAT-INJURED VETERANS TAX FAIRNESS ACT OF 2016

Mr. BRADY of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5015) to restore amounts improperly withheld for tax purposes from severance payments to individuals who retired or separated from service in the Armed Forces for combat-related injuries, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5015

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

### SECTION 1. SHORT TITLE.

This Act may be cited as the "Combat-Injured Veterans Tax Fairness Act of 2016".

### SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Approximately 10,000 to 11,000 individuals are retired from service in the Armed Forces for medical reasons each year.

(2) Some of such individuals are separated from service in the Armed Forces for combat-related injuries (as defined in section 104(b)(3) of the Internal Revenue Code of 1986).

(3) Congress has recognized the tremendous personal sacrifice of veterans with combat-related injuries by, among other things, specifically excluding from taxable income severance pay received for combat-related injuries.

(4) Since 1991, the Secretary of Defense has improperly withheld taxes from severance pay for wounded veterans, thus denying them their due compensation and a significant benefit intended by Congress.

(5) Many veterans owed redress are beyond the statutory period to file an amended tax return because they were not or are not aware that taxes were improperly withheld.

### SEC. 3. RESTORATION OF AMOUNTS IMPROPERLY WITHHELD FOR TAX PURPOSES FROM SEVERANCE PAYMENTS TO VETERANS WITH COMBAT-RELATED INJURIES.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall—

(1) identify—

(A) the severance payments—

(i) that the Secretary paid after January 17, 1991;

(ii) that the Secretary computed under section 1212 of title 10, United States Code;

(iii) that were not considered gross income pursuant to section 104(a)(4) of the Internal Revenue Code of 1986; and

(iv) from which the Secretary withheld amounts for tax purposes; and

(B) the individuals to whom such severance payments were made; and

(2) with respect to each person identified under paragraph (1)(B), provide—

(A) notice of—

(i) the amount of severance payments in paragraph (1)(A) which were improperly withheld for tax purposes; and

(ii) such other information determined to be necessary by the Secretary of the Treasury to carry out the purposes of this section; and

(B) instructions for filing amended tax returns to recover the amounts improperly withheld for tax purposes.

(b) EXTENSION OF LIMITATION ON TIME FOR CREDIT OR REFUND.—

(1) PERIOD FOR FILING CLAIM.—If a claim for credit or refund under section 6511(a) of the

Internal Revenue Code of 1986 relates to a specified overpayment, the 3-year period of limitation prescribed by such subsection shall not expire before the date which is 1 year after the date the information return described in subsection (a)(2) is provided. The allowable amount of credit or refund of a specified overpayment shall be determined without regard to the amount of tax paid within the period provided in section 6511(b)(2).

(2) SPECIFIED OVERPAYMENT.—For purposes of paragraph (1), the term “specified overpayment” means an overpayment attributable to a severance payment described in subsection (a)(1).

**SEC. 4. REQUIREMENT THAT SECRETARY OF DEFENSE ENSURE AMOUNTS ARE NOT WITHHELD FOR TAX PURPOSES FROM SEVERANCE PAYMENTS NOT CONSIDERED GROSS INCOME.**

The Secretary of Defense shall take such actions as may be necessary to ensure that amounts are not withheld for tax purposes from severance payments made by the Secretary to individuals when such payments are not considered gross income pursuant to section 104(a)(4) of the Internal Revenue Code of 1986.

**SEC. 5. REPORT TO CONGRESS.**

(a) IN GENERAL.—After completing the identification required by section 3(a) and not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a report on the actions taken by the Secretary to carry out this Act.

(b) CONTENTS.—The report submitted under subsection (a) shall include the following:

(1) The number of individuals identified under section 3(a)(1)(B).

(2) Of all the severance payments described in section 3(a)(1)(A), the aggregate amount that the Secretary withheld for tax purposes from such payments.

(3) A description of the actions the Secretary plans to take to carry out section 4.

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services, the Committee on Veterans' Affairs, and the Committee on Finance of the Senate; and

(2) the Committee on Armed Services, the Committee on Veterans' Affairs, and the Committee on Ways and Means of the House of Representatives.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. BRADY) and the gentleman from Massachusetts (Mr. NEAL) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. BRADY of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 5015, currently under consideration.

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

There was no objection.

Mr. BRADY of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we have responsibilities for all the brave men and women who protect and defend our great Nation, especially those who are injured in the line of duty. The bill we are consid-

ering today by Representative ROUZER does just that.

Under our tax system, veterans who suffer from combat-related injuries are not required to pay taxes on the one-time lump-sum disability payment they receive when they leave the military. Unfortunately, errors in the Defense Department's automatic payment system have resulted in taxes being improperly withheld from these injured troops' payments—sometimes for years on end.

As a result, thousands of combat-injured veterans—men and women who have sacrificed greatly for our country—have not received the full compensation they are rightfully due. The Combat-Injured Veterans Tax Fairness Act provides an opportunity to right this wrong for veterans injured during their service. This legislation will allow veterans to recover income taxes that were improperly collected by the Department of Defense on certain disability severance payments.

Under this bill, the Defense Department will be required to identify all the veterans who have been impacted by this problem. They will inform these veterans of the full amount that has been improperly withheld from their disability payments, and they will provide detailed instructions on how veterans can recover the money through an amended tax return.

Our men and women in uniform and their families have sacrificed so much for our Nation. Errors like this are completely unacceptable and cannot be allowed to go unaddressed.

I thank Representative ROUZER for his leadership on the Combat-Injured Veterans Tax Fairness Act and his dedication. This legislation takes important action to ensure America's promises are kept to our combat-injured heroes and their families.

Mr. Speaker, I urge all of my colleagues to join me in supporting its passage.

I reserve the balance of my time.

COMMITTEE ON ARMED SERVICES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, November 30, 2016.

HON. KEVIN BRADY,  
Chairman, Committee on Ways and Means,  
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I write concerning H.R. 5015, the Combat-Injured Veterans Tax Fairness Act of 2016, which was referred to the Committee on Armed Services, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker.

In order to expedite this legislation for floor consideration, the Committee on Armed Services will forgo action on this bill. This decision is conditional on our mutual understanding that forgoing consideration in no way diminishes or alters the jurisdictional interests of the Committee on Armed Services in this bill, any subsequent amendments, or similar legislation.

Please place a copy of this letter and your response acknowledging our jurisdictional interest into the Congressional Record during consideration of the measure on the House floor.

Sincerely,  
WILLIAM M. “MAC” THORNBERRY,  
Chairman.

COMMITTEE ON WAYS AND MEANS,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, December 1, 2016.

HON. WILLIAM M. “MAC” THORNBERRY,  
Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR CHAIRMAN THORNBERRY: Thank you for your letter regarding H.R. 5015, the “Combat-Injured Veterans Tax Fairness Act of 2016.” As you noted, the bill was referred to the Committee on Armed Services.

I am most appreciative of your decision to waive formal consideration of H.R. 5015 so that it may proceed expeditiously to the House floor. I acknowledge that although you waived formal consideration of the bill, the Committee on Armed Services is in no way waiving its jurisdiction over the subject matter contained in those provisions of the bill that fall within your Rule X jurisdiction.

I will include a copy of our letters in the Congressional Record during consideration of this legislation on the House floor.

Sincerely,

KEVIN BRADY,  
Chairman.

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

Mr. Speaker, I thank Chairman BRADY for his efforts on behalf of this legislation.

This is a pleasant responsibility that we have when you consider that its corrective action will alone help 175 former military members in the State of Massachusetts and 13,800 across the country.

Let me reiterate some of the points that were made by Chairman BRADY. The bill before us corrects an issue related to a provision that was designed to alleviate some of the tax burdens of our Nation's combat-injured veterans. Under Federal law, veterans who suffer combat-related injuries and who are separated from the military are not supposed to be taxed on the one-time lump-sum disability severance payment they receive from the Department of Defense.

Due to an accounting error at the Defense Finance and Accounting Service, approximately \$78 million in tax payments were inadvertently taken from combat-disabled servicemembers. Some of this improper withholding has taken place outside the 3-year period in which taxpayers could file an amended tax return.

H.R. 5015 would right this wrong by instructing DOD to identify those who were wrongfully taxed so that they can be reimbursed. This bill would allow those veterans identified by the DOD to file amended returns to recoup those unintentionally withheld funds.

Mr. Speaker, I am curious with respect to two items in this bill, and I just would like to raise this ever so politely with the majority party. Veterans' issues in the Congress have long had a bipartisan flavor to them. We have been supportive across the board in the efforts that we make as it relates to our veterans, and the differences we have generally are very small; but in this case, it does not appear that a Democrat was asked to cosponsor the bill in its original introduction. So I would hope in the future that even though this bill was largely

sponsored by Republican Members, that on this side you could have easily picked up 33 Members as well.

So I hope going forward there will be that effort that we would continue with here to ensure that matters of this magnitude are well met by both parties. I would say that I don't want to suggest for a moment that this was done in a partisan atmosphere as much as I would like to think that it was just overlooked. I hope in the future that we would be considered for sponsorship of this sort of legislation as well.

Also, I would like to highlight an issue that is akin to the matter that is before us, and it comes from our friends on the committee, SAM JOHNSON and JOHN LARSON. They worked together on legislation that would prevent exonerated felons from facing an undue tax burden with respect to payments they received due to their wrongful conviction—emphasis on “wrongful conviction.”

Similar to the veterans in the situation before us, these wrongfully convicted individuals should not face an improper tax liability on amounts intended to compensate for the tremendous injustices they faced under our legal system. Legislation to that effect became law in 2015. However, due to the lengthy IRS process in providing guidance on the issue, the statute would only allow less than 5 months for these exonerated individuals to amend their prior year tax returns.

Mr. JOHNSON and Mr. LARSON of Connecticut have worked tirelessly to make sure that these individuals are not unfairly burdened further than they already have been and they have proposed extending the statutory deadline for these individuals to file amended returns.

So while I think the legislation before us is sound, I do hope that the committee and the Congress will find time to consider similar IRS filing-deadline legislation with respect to these exonerated individuals.

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

Mr. BRADY of Texas. Mr. Speaker, I yield 3 minutes to the gentleman from North Carolina (Mr. ROUZER), who is the author of the bill in the House. Besides his advocacy for small businesses and job growth, he is also a champion for our military, especially those who have been injured in combat.

Mr. ROUZER. Mr. Speaker, first, I want to make mention to the fine ranking member of the committee that we did reach out, certainly, to as many staff on the Democrat side as we possibly could. Perhaps we could have done a little bit better job of that, but I do want to make mention that we did make that effort—a point duly noted, though—and we will follow up multiple times the next time I have a bill that I think the gentleman would be interested in.

Mr. Speaker, I filed H.R. 5015, the Combat-Injured Veterans Tax Fairness

Act, after learning that nearly 14,000 veterans from all 50 States and the District of Columbia who suffered service-ending, combat-related injuries never received the full amount of their severance payment because taxes were wrongly withheld. Let me repeat that: nearly 14,000 veterans did not receive the money to which they were entitled because of a taxing error made by the Federal Government.

Now, in case you are wondering how this error occurred, here is some background: the Internal Revenue Code excludes recurring disability payments from taxable income for personal injuries or sickness resulting from active service in our Armed Forces. In 1991, a Federal district court case, *St. Clair v. United States*, determined that one-time lump-sum disability severance payments received for injuries resulting from active service should be excluded from taxable income as well.

Despite this court decision and the resulting regulatory guidance that stemmed from it, taxes on combat-related disability severance payments have been withheld for many years. As was mentioned earlier, the Defense Finance and Accounting System claimed this was due to the limitations of its automated computer payment system. Go figure. Regardless, this is an issue that needs to be addressed.

Many of the veterans affected are not even aware that their benefits were improperly reduced. In most cases, the 3-year period in which they could file an amended tax return to get their money back has long since passed.

This legislation directs the Department of Defense to identify instances of improper withholding and determine how much these combat-wounded veterans are owed. Those veterans who were adversely affected will then be able to apply to the IRS to receive the money they are rightfully due.

Our soldiers, sailors, airmen, and marines risk their lives every day to protect our freedoms, our values, and our Republic. The revelation that there are thousands of veterans who did not receive their full disability severance pay is unacceptable, and it must be corrected immediately.

Today we can make a great step towards rectifying this problem. I think we can all agree that these veterans deserve no less for their service and sacrifice to our Nation.

I want to make special mention of Senator BOOZMAN of Arkansas and Senator WARNER of Virginia who have sponsored an identical bill in the United States Senate. Their leadership on this issue has been absolutely critical. I commend this legislation to my colleagues and encourage its passage.

Mr. NEAL. Mr. Speaker, I want to acknowledge the gentleman for his good effort and his thoughtful response to the point that I raised.

Of course, thanks to Chairman BRADY, this is an example, again, in a

small way of how we can do some good things around here in a bipartisan manner.

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

Mr. BRADY of Texas. Mr. Speaker, I yield myself such time as I may consume.

First, I really do applaud the work of Representative ROUZER in this area and the bipartisan work of Senators BOOZMAN and WARNER.

This is an area that could have easily been just swept aside over the years and never really addressed. The gentleman continued to raise the issue, bring it to our attention, and work through the legislative process. Again, I thank the gentleman for his very important leadership.

I also thank the chairman of the Armed Services Committee, Chairman MAC THORNBERRY, and his team for their approval of this measure and willingness to work with the author to bring this forward.

I, too, thank the ranking member, Mr. NEAL, and congratulate him on his naming as ranking member for the Ways and Means Committee. I look forward to working with the gentleman on these and other issues moving forward.

On behalf of 14,000 veterans who deserve to get the dollars they earned from the Department of Defense, late is better than never. I applaud the efforts of Mr. ROUZER in doing that.

Mr. Speaker, I urge support for this bipartisan bill.

I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise in support of H.R. 5015, Combat-Injured Veterans Tax Fairness Act of 2016, because the legislation directs the Defense Department (DoD) to restore improperly withheld for taxes from severance payments to individuals who retired or separated from service in the Armed Forces for combat-related injuries.

The bill also requires the DoD to notify combat-injured veterans if it had improperly withheld tax on their severance pay any time after January 17, 1991 and provide the veterans with information on how to seek a refund from the Internal Revenue Service (IRS).

H.R. 5015 works to remedy the egregious action of withholding more than \$78 million in taxes from almost 14,000 combat-injured veterans.

This legislation additionally ensures that further tax amounts will not be taken from combat-injured veterans in the future.

As a member of the House Committee on Homeland Security since its establishment, and current Ranking Member of the Judiciary Subcommittee on Crime, Terrorism and Homeland Security this bill is of importance to me.

The DoD held an average of over \$5,500 from each of the veterans since 1991.

That amount of money could help combat-injured veterans with hospital bills and the difficult transition back into civilian life.

I am pleased that the DoD will also have to submit a report on the number



of times it had withheld pay to combat-injured veterans, the amount of each severance payment it withheld, and its actions to prevent future improper withholding to Congress within one year of the bill's enactment for Congress to assess the situation.

Our veterans deserve to be treated with respect.

It is only through the efforts and sacrifice of our veterans that America has the freedoms and privileges we do today.

I urge my colleagues to join me in supporting H.R. 5015.

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I rise in strong support of H.R. 5015, a bill that would improve the fairness of the tax code and treat our service members with the respect they are due.

Veterans who suffered combat-related injuries who separated from the military are not supposed to be taxed on any one-time disability payments. Unfortunately, an accounting error has cost about 14,000 veterans more than \$78 million in taxes. Just under 500 of these veterans are from my home state of Illinois.

H.R. 5015 fixes this problem by instructing the DoD to identify those who were wrongfully taxed so that they can be reimbursed. The lion's share of the affected veterans are outside of the window for amending their tax returns to recoup the funds.

Consequently, this bill would allow those veterans identified by the DoD to file amended returns to recoup these unintentionally-withheld funds. This is a good bill that helps our service members as we should. I hope that this chamber can engage in similar bipartisan efforts to support other needy Americans as we move into the next Congress.

I am troubled that some stakeholders are advocating that a 15 to 20 percent corporate tax rate serve as the central metric by which we judge any tax reform effort. To achieve this rate, middle- and low-income families and small businesses will have to subsidize the wealthiest corporations, foregoing critical credits and deductions that provide much needed assistance.

I sincerely hope that we advance the intent of this bill to help Americans in need as we consider tax reform next year.

I strongly support H.R. 5015, and I urge my colleagues to support its passage.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. BRADY) that the House suspend the rules and pass the bill, H.R. 5015, as amended.

The question was taken.

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

Mr. BRADY of Texas. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

#### PRESCRIBED BURN APPROVAL ACT OF 2016

Mr. LUCAS. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3395) to require limitations on prescribed burns.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 3395

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Prescribed Burn Approval Act of 2016".

#### SEC. 2. DEFINITIONS.

In this Act:

(1) NATIONAL FIRE DANGER RATING SYSTEM.—The term "national fire danger rating system" means the national system used to provide a measure of fire danger according to a range of low to moderate to high to very high to extreme.

(2) PRESCRIBED BURN.—The term "prescribed burn" means a planned fire intentionally ignited.

(3) SECRETARY.—The term "Secretary" means the Secretary of Agriculture, acting through the Chief of the Forest Service.

#### SEC. 3. LIMITATIONS ON PRESCRIBED BURNS.

(a) IN GENERAL.—Except as provided in subsection (b), the Secretary shall not authorize a prescribed burn on Forest Service land if, for the county or contiguous county in which the land is located, the national fire danger rating system indicates an extreme fire danger level.

(b) EXCEPTION.—The Secretary may authorize a prescribed burn under a condition described in subsection (a) if the Secretary coordinates with the applicable State government and local fire officials.

(c) REPORT.—At the end of each fiscal year, the Secretary shall submit to Congress a report describing—

(1) the number and locations of prescribed burns during that fiscal year; and

(2) each prescribed burn during that fiscal year that was authorized by the Secretary pursuant to subsection (b).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oklahoma (Mr. LUCAS) and the gentleman from Minnesota (Mr. PETERSON) each will control 20 minutes.

The Chair recognizes the gentleman from Oklahoma.

#### GENERAL LEAVE

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

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

There was no objection.

□ 1730

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

I rise today in support of S. 3395, the Prescribed Burn Approval Act of 2016.

Across much of the country, Forest Service land borders private lands that are essential to the livelihood of farmers, ranchers, and foresters. While the Forest Service is tasked with managing these lands, many techniques are effective but carry risk.

On April 3, 2013, the Forest Service conducted a controlled burn on the Dakota Prairie Grasslands intended for 130 acres. As weather conditions changed, the fire escaped its boundary and burned 16,000 acres of private land.

The prescribed burn planned by Federal officials resulted in millions of dollars in damage to private lands in South Dakota, with ranchers losing valuable pasture, hay, fence, and structures.

In the aftermath of the fire, the Office of the General Counsel of USDA determined that the Forest Service had done nothing out of line and claimed no responsibility to those harmed by this carelessness. This commonsense piece of legislation that we are addressing today, simply put, would require the Forest Service to conduct prescribed burns only when the national fire rating system indicates that it is safe to do so in that county and contiguous counties.

Furthermore, this bill will encourage greater collaboration with local officials, helping to mitigate more of the risk to private lands.

We all strive to be good neighbors and hope our neighbors will do the same. With passage, this bill gives many neighbors to the Forest Service additional certainty, and I urge your support.

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

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON NATURAL RESOURCES,

Washington, DC, December 1, 2016.

Hon. K. MICHAEL CONAWAY,  
Chairman, Committee on Agriculture,  
Washington, DC.

DEAR MR. CHAIRMAN: I write regarding S. 3395, the Prescribed Burn Approval Act of 2016. This bill contains provisions under the jurisdiction of the Committee on Natural Resources.

I recognize and appreciate your desire to bring this bill before the House of Representatives in an expeditious manner, and accordingly, I will agree that the Committee on Natural Resources be discharged from further consideration of the bill. I do so with the understanding that this action does not affect the jurisdiction of the Committee on Natural Resources.

I also ask that a copy of this letter and your response be included in the Congressional Record during consideration of S. 3395 on the House floor.

Thank you for your work on this important issue, and I look forward to its enactment soon.

Sincerely,

ROB BISHOP,  
Chairman, Committee on Natural Resources.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON AGRICULTURE,  
Washington, DC, December 1, 2016.

Hon. ROB BISHOP,  
Chairman, Committee on Natural Resources,  
Washington, DC.

DEAR CHAIRMAN BISHOP: I am writing concerning S. 3395, the Prescribed Burn Approval Act of 2016. The bill was agreed to in the Senate on November 17, 2016, and was referred in the House primarily to the Committee on Agriculture, with an additional referral to the Committee on Natural Resources.

I ask that you allow the Committee on Natural Resources to be discharged from further consideration of the bill so that it may be scheduled by the Majority Leader. This discharge in no way affects your Committee's jurisdiction over the subject matter of

the bill, and it will not serve as precedent for future referrals. In addition, should a conference on the bill be necessary, I would support your request to have the Committee on Natural Resources represented on the conference committee. Finally, I would be pleased to include this letter and any response in Congressional Record to memorialize our mutual understanding.

Thank you for your consideration and for your continued cooperation between our committees.

Sincerely,

K. MICHAEL CONAWAY,  
*Chairman.*

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

Mr. Speaker, the Prescribed Burn Approval Act of 2016, S. 3395, will help alleviate unintentional disasters when prescribed burns don't go exactly as planned. This is commonsense legislation, and I urge my colleagues to vote in support of it.

Prescribed burns are an important tool used by the Forest Service to help manage our national forests and grasslands. However, there is the risk of damage to nearby private property when prescribed burns get out of control, which happened, as was described recently, in the upper Midwest.

This bill will allow the Forest Service to continue to use prescribed burns while taking practical steps to prevent disasters. S. 3395 prohibits the Forest Service from utilizing prescribed burns in areas of high fire risk, unless the Forest Service coordinates with State governments and local officials.

Having local officials and responders aware of activities can help them be prepared and equipped to assist, if necessary. Frankly, this is something I would hope the Forest Service is already doing, but this bill is a good step. It will make sure that it happens in the future.

Again, I urge my colleagues to support the bill.

I yield back the balance of my time.

Mr. LUCAS. Mr. Speaker, I yield 3 minutes to the gentlewoman from South Dakota (Mrs. NOEM), who not only understands these issues but lives these issues.

Mrs. NOEM. Mr. Speaker, I thank the chairman for yielding to me today.

Mr. Speaker, today, I rise in support of S. 3395, the Prescribed Burn Approval Act. This is a commonsense bill that will prohibit the U.S. Forest Service from authorizing prescribed burns in an area that is labeled an extreme fire danger except under circumstances that have local coordination. Unfortunately, we have seen instances where the Forest Service has acted recklessly by starting prescribed burns under extremely hazardous conditions.

The Pautre fire in South Dakota is one such example. Despite the hot and windy conditions and being warned repeatedly from local ranchers and local officials that it was too windy and too dry to be starting a controlled burn, the Forest Service still carried out a prescribed burn that was intended to cover just 130 acres of dead crested wheatgrass.

Within hours, the fire escalated out of control. More than 10,000 acres of Forest Service land, grazing association controlled land, and private land was consumed by the wildfire. Millions of dollars of damage was done not only to the land but to fences and families. Families were devastated.

Multiple firefighting units and personnel were put in harm's way. This burn should not have occurred that day without the collaboration and additional precautions that such a burn will require. It should happen in consultation with local officials and those who know the land best, those who live on the land and work the land each and every day—local farmers and ranchers.

It only makes sense that the Forest Service has the responsibility to coordinate with local and State fire officials in circumstances where the threat of wildfire is high. This bill is a step in the right direction to make certain that necessary precautions are taken.

Furthermore, this bill would add transparency and a degree of accountability to the Forest Service's actions by ensuring that Congress is aware of the prescribed burns that are done under hazardous conditions.

I would like to thank Senator THUNE for his work on this bill and the chairman for bringing this bill forward.

I urge my colleagues to vote in favor.

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

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

It is worth noting that before there were ever farmers and ranchers on the plains, before Coronado ever came up from the south, or Lewis and Clark crossed through the north, and even before our Native American friends first appeared in North America fire has been an important management tool in the ecosystem of the Great Plains—whether the northern plains where my colleague, Mrs. NOEM, lives or the southern plains where I live—an important tool. Maintaining the health of the grasslands, addressing the woody plants that are invasive, this is an important tool.

This is why today we rise together to ask for our colleagues to vote for this bill, to provide the ability for everyone who occupies the plains to comfortably work together to use this tool to maintain the health of the Great Plains.

Mr. Speaker, I urge all of my colleagues to join us in passing the bill.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oklahoma (Mr. LUCAS) that the House suspend the rules and pass the bill, S. 3395.

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

A motion to reconsider was laid on the table.

## DEPARTMENT OF STATE OPERATIONS AUTHORIZATION AND EMBASSY SECURITY ACT, FISCAL YEAR 2016

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1635) to authorize the Department of State for fiscal year 2016, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 1635

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

### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Department of State Authorities Act, Fiscal Year 2017”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; Table of contents.

Sec. 2. Definitions.

#### TITLE I—EMBASSY SECURITY AND PERSONNEL PROTECTION

##### Subtitle A—Review and Planning Requirements

Sec. 101. Designation of high risk, high threat posts.

Sec. 102. Contingency plans for high risk, high threat posts.

Sec. 103. Direct reporting.

Sec. 104. Accountability Review Board recommendations related to unsatisfactory leadership.

##### Subtitle B—Physical Security and Personnel Requirements

Sec. 111. Capital security cost sharing program.

Sec. 112. Local guard contracts abroad under diplomatic security program.

Sec. 113. Transfer authority.

Sec. 114. Security enhancements for soft targets.

Sec. 115. Exemption from certain procurement protest procedures for noncompetitive contracting in emergency circumstances.

Sec. 116. Sense of Congress regarding minimum security standards for temporary United States diplomatic and consular posts.

Sec. 117. Assignment of personnel at high risk, high threat posts.

Sec. 118. Annual report on embassy construction costs.

Sec. 119. Embassy security, construction, and maintenance.

##### Subtitle C—Security Training

Sec. 121. Security training for personnel assigned to high risk, high threat posts.

Sec. 122. Sense of Congress regarding language requirements for diplomatic security personnel assigned to high risk, high threat post.

##### Subtitle D—Expansion of the Marine Corps Security Guard Detachment Program

Sec. 131. Marine Corps Security Guard Program.

### TITLE II—OFFICE OF INSPECTOR GENERAL OF THE DEPARTMENT OF STATE AND BROADCASTING BOARD OF GOVERNORS

Sec. 201. Competitive hiring status for former employees of the Office of the Special Inspector General for Iraq Reconstruction.

Sec. 202. Certification of independence of information technology systems of the Office of Inspector General of the Department of State and Broadcasting Board of Governors.

- Sec. 203. Protecting the integrity of internal investigations.
- Sec. 204. Report on Inspector General inspection and auditing of Foreign Service posts and bureaus and other offices of the Department.
- Sec. 205. Implementing GAO and OIG recommendations.
- Sec. 206. Inspector General salary limitations.

#### TITLE III—INTERNATIONAL ORGANIZATIONS

- Sec. 301. Oversight of and accountability for peacekeeper abuses.
- Sec. 302. Reimbursement of contributing countries.
- Sec. 303. Withholding of assistance.
- Sec. 304. United Nations peacekeeping assessment formula.
- Sec. 305. Reimbursement or application of credits.
- Sec. 306. Report on United States contributions to the United Nations relating to peacekeeping operations.
- Sec. 307. Whistleblower protections for United Nations personnel.
- Sec. 308. Encouraging employment of United States citizens at the United Nations.
- Sec. 309. Statement of policy on Member State's voting practices at the United Nations.
- Sec. 310. Qualifications of the United Nations Secretary General.
- Sec. 311. Policy regarding the United Nations Human Rights Council.
- Sec. 312. Additional report on other United States contributions to the United Nations.
- Sec. 313. Comparative report on peacekeeping operations.

#### TITLE IV—PERSONNEL AND ORGANIZATIONAL ISSUES

- Sec. 401. Locally-employed staff wages.
- Sec. 402. Expansion of civil service opportunities.
- Sec. 403. Promotion to the Senior Foreign Service.
- Sec. 404. Lateral entry into the Foreign Service.
- Sec. 405. Reemployment of annuitants and workforce rightsizing.
- Sec. 406. Integration of foreign economic policy.
- Sec. 407. Training support services.
- Sec. 408. Special agents.
- Sec. 409. Limited appointments in the Foreign Service.
- Sec. 410. Report on diversity recruitment, employment, retention, and promotion.
- Sec. 411. Market data for cost-of-living adjustments.
- Sec. 412. Technical amendment to Federal Workforce Flexibility Act.
- Sec. 413. Retention of mid- and senior-level professionals from traditionally under-represented minority groups.
- Sec. 414. Employee assignment restrictions.
- Sec. 415. Security clearance suspensions.
- Sec. 416. Sense of Congress on the integration of policies related to the participation of women in preventing and resolving conflicts.
- Sec. 417. Foreign Service families workforce study.
- Sec. 418. Special envoys, representatives, advisors, and coordinators of the Department.
- Sec. 419. Combating anti-Semitism.

#### TITLE V—CONSULAR AUTHORITIES

- Sec. 501. Codification of enhanced consular immunities.

- Sec. 502. Passports made in the United States.

#### TITLE VI—WESTERN HEMISPHERE DRUG POLICY COMMISSION

- Sec. 601. Establishment.
- Sec. 602. Duties.
- Sec. 603. Membership.
- Sec. 604. Powers.
- Sec. 605. Staff.
- Sec. 606. Sunset.

#### TITLE VII—MISCELLANEOUS PROVISIONS

- Sec. 701. Foreign relations exchange programs.
- Sec. 702. United States Advisory Commission on Public Diplomacy.
- Sec. 703. Broadcasting Board of Governors.
- Sec. 704. Rewards for Justice.
- Sec. 705. Extension of period for reimbursement of seized commercial fishermen.
- Sec. 706. Expansion of the Charles B. Rangel International Affairs Program, the Thomas R. Pickering Foreign Affairs Fellowship Program, and the Donald M. Payne International Development Fellowship Program.
- Sec. 707. GAO report on Department critical telecommunications equipment or services obtained from suppliers closely linked to a leading cyber-threat actor.
- Sec. 708. Implementation plan for information technology and knowledge management.
- Sec. 709. Ransoms to foreign terrorist organizations.
- Sec. 710. Strategy to combat terrorist use of social media.
- Sec. 711. Report on Department information technology acquisition practices.
- Sec. 712. Public availability of reports on nominees to be chiefs of mission.
- Sec. 713. Recruitment and retention of individuals who have lived, worked, or studied in predominantly Muslim countries or communities.
- Sec. 714. Sense of Congress regarding coverage of appropriate therapies for dependents with autism spectrum disorder (ASD).
- Sec. 715. Repeal of obsolete reports.
- Sec. 716. Prohibition on additional funding.

#### SEC. 2. DEFINITIONS.

In this Act:

- (1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—
- (A) the Committee on Foreign Relations of the Senate; and
- (B) the Committee on Foreign Affairs of the House of Representatives.
- (2) DEPARTMENT.—Unless otherwise specified, the term “Department” means the Department of State.
- (3) FOREIGN SERVICE.—The term “Foreign Service” has the meaning given such term in section 102 of the Foreign Service Act of 1980 (22 U.S.C. 3902).
- (4) INSPECTOR GENERAL.—Unless otherwise specified, the term “Inspector General” means the Office of Inspector General of the Department of State and the Broadcasting Board of Governors.
- (5) PEACEKEEPING CREDITS.—The term “peacekeeping credits” means the amounts by which United States assessed peacekeeping contributions exceed actual expenditures, apportioned to the United States, of peacekeeping operations by the United Nations during a United Nations peacekeeping fiscal year.

- (6) SECRETARY.—Unless otherwise specified, the term “Secretary” means the Secretary of State.

#### TITLE I—EMBASSY SECURITY AND PERSONNEL PROTECTION

##### Subtitle A—Review and Planning Requirements

#### SEC. 101. DESIGNATION OF HIGH RISK, HIGH THREAT POSTS.

(a) IN GENERAL.—Title I of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (22 U.S.C. 4801 et seq.; relating to diplomatic security) is amended by inserting after section 103 the following new sections:

#### “SEC. 104. DESIGNATION OF HIGH RISK, HIGH THREAT POSTS.

“(a) INITIAL DESIGNATION.—Not later than 30 days after the date of the enactment of this section, the Department of State shall submit to the appropriate congressional committees a report, in classified form, that contains a list of diplomatic and consular posts designated as high risk, high threat posts.

“(b) DESIGNATIONS BEFORE OPENING OR REOPENING POSTS.—Before opening or reopening a diplomatic or consular post, the Secretary shall determine if such post should be designated as a high risk, high threat post.

“(c) DESIGNATING EXISTING POSTS.—The Secretary shall regularly review existing diplomatic and consular posts to determine if any such post should be designated as a high risk, high threat post if conditions at such post or the surrounding security environment require such a designation.

“(d) DEFINITIONS.—In this section:

“(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘appropriate congressional committees’ means the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

“(2) HIGH RISK, HIGH THREAT POST.—The term ‘high risk, high threat post’ means a United States diplomatic or consular post or other United States mission abroad, as determined by the Secretary, that, among other factors—

“(A) is located in a country—

“(i) with high to critical levels of political violence and terrorism; and

“(ii) the government of which lacks the ability or willingness to provide adequate security; and

“(B) has mission physical security platforms that fall below the Department of State's established standards.

#### “SEC. 105. BRIEFINGS ON EMBASSY SECURITY.

“(a) BRIEFING.—The Secretary shall provide monthly briefings to the appropriate congressional committees on—

“(1) any plans to open or reopen a high risk, high threat post, including—

“(A) the importance and appropriateness of the objectives of the proposed post to the national security of the United States, and the type and level of security threats such post could encounter;

“(B) working plans to expedite the approval and funding for establishing and operating such post, implementing physical security measures, providing necessary security and management personnel, and the provision of necessary equipment;

“(C) security ‘tripwires’ that would determine specific action, including enhanced security measures or evacuation of such post, based on the improvement or deterioration of the local security environment; and

“(D) in coordination with the Secretary of Defense, an evaluation of available United States military assets and operational plans to respond to such posts in extremis;

“(2) personnel staffing and rotation cycles at high risk, high threat posts;

“(3) the current security posture at posts of particular concern as determined by such committees; and

“(4) the progress towards implementation of the provisions specified in title I of the Department of State Authorities Act, Fiscal Year 2017.

“(b) CONGRESSIONAL NOTIFICATION.—

“(1) IN GENERAL.—Except as provided in paragraph (2), not later than 30 days before opening or reopening a high risk, high threat post, the Secretary shall notify the appropriate congressional committees of the decision to open or reopen such post.

“(2) EMERGENCY CIRCUMSTANCES.—If the Secretary determines that the national security interests of the United States require the opening or reopening of a high risk, high threat post in fewer than 30 days, then as soon as possible, but not later than 48 hours before such opening or reopening, the Secretary shall transmit to the appropriate congressional committees a notification detailing the decision to open or reopen such post, the nature of the critical national security interests at stake, and the circumstances that prevented the normal 30-day notice under paragraph (1).

“(c) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term ‘appropriate congressional committees’ means—

“(1) the Committee on Foreign Affairs, the Committee on Armed Services, the Permanent Select Committee on Intelligence, and the Committee on Appropriations of the House of Representatives; and

“(2) the Committee on Foreign Relations, the Committee on Armed Services, the Select Committee on Intelligence, and the Committee on Appropriations of the Senate.”

(b) CONFORMING AMENDMENT.—The table of contents of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 is amended by inserting after the item relating to section 103 the following new items:

“Sec. 104. Designation of high risk, high threat posts.

“Sec. 105. Briefings on embassy security.”

**SEC. 102. CONTINGENCY PLANS FOR HIGH RISK, HIGH THREAT POSTS.**

Subsection (a) of section 606 of the Secure Embassy Construction and Counterterrorism Act of 1999 (22 U.S.C. 4865; relating to diplomatic security) is amended—

(1) in paragraph (1)(A), in the first sentence—

(A) by inserting “and from complex attacks (as such term is defined in section 416 of the Omnibus Diplomatic Security and Antiterrorism Act of 1986),” after “attacks from vehicles”; and

(B) by inserting “or such a complex attack” before the period at the end;

(2) in paragraph (7), by inserting before the period at the end the following: “, including at high risk, high threat posts (as such term is defined in section 104 of the Omnibus Diplomatic Security and Antiterrorism Act of 1986), including options for the deployment of additional military personnel or equipment to bolster security and rapid deployment of armed or surveillance assets in response to an attack”.

**SEC. 103. DIRECT REPORTING.**

The Assistant Secretary for Diplomatic Security shall report directly to the Secretary, without being required to obtain the approval or concurrence of any other official of the Department, as threats and circumstances require.

**SEC. 104. ACCOUNTABILITY REVIEW BOARD RECOMMENDATIONS RELATED TO UNSATISFACTORY LEADERSHIP.**

(a) IN GENERAL.—Subsection (c) of section 304 of the Diplomatic Security Act (22 U.S.C. 4834) is amended—

(1) in the matter preceding paragraph (1)—

(A) by striking “Whenever” and inserting “If”; and

(B) by striking “has breached the duty of that individual” and inserting “has engaged in misconduct or unsatisfactorily performed the duties of employment of that individual, and such misconduct or unsatisfactory performance has significantly contributed to the serious injury, loss of life, or significant destruction of property, or the serious breach of security that is the subject of the Board’s examination as described in subsection (a)”;

(2) in paragraph (2), by striking “finding” each place it appears and inserting “findings”; and

(3) in the matter following paragraph (3)—

(A) by striking “has breached a duty of that individual” and inserting “has engaged in misconduct or unsatisfactorily performed the duties of employment of that individual as described in this subsection”; and

(B) by striking “to the performance of the duties of that individual”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply with respect to any Accountability Review Board that is convened under section 301 of the Diplomatic Security Act (22 U.S.C. 4831) on or after the date of the enactment of this Act.

**Subtitle B—Physical Security and Personnel Requirements**

**SEC. 111. CAPITAL SECURITY COST SHARING PROGRAM.**

(a) SENSE OF CONGRESS ON THE CAPITAL SECURITY COST SHARING PROGRAM.—It is the sense of Congress that the Capital Security Cost Sharing Program should prioritize the construction of new facilities and the maintenance of existing facilities at high risk, high threat posts.

(b) RESTRICTION ON CONSTRUCTION OF OFFICE SPACE.—Paragraph (2) of section 604(e) of the Secure Embassy Construction and Counterterrorism Act of 1999 (title VI of division A of H.R. 3427, as enacted into law by section 1000(a)(7) of Public Law 106-113; 113 Stat. 1501A-453; 22 U.S.C. 4865 note) is amended by adding at the end the following new sentence: “A project to construct a diplomatic facility of the United States may not include office space or other accommodations for an employee of a Federal department or agency to the extent that the Secretary of State determines that such department or agency has not provided to the Department of State the full amount of funding required under paragraph (1), notwithstanding any authorization and appropriation of relevant funds by Congress.”

**SEC. 112. LOCAL GUARD CONTRACTS ABROAD UNDER DIPLOMATIC SECURITY PROGRAM.**

Section 136 of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 (22 U.S.C. 4864) is amended by adding at the end the following new subsection:

“(h) AWARD OF LOCAL GUARD AND PROTECTIVE SERVICE CONTRACTS.—In evaluating proposals for local guard contracts under this section, the Secretary of State may award such contracts on the basis of best value as determined by a cost-technical tradeoff analysis (as described in Federal Acquisition Regulation part 15.101) and, with respect to such contracts for posts that are not high risk, high threat posts (as such term is defined in section 104 of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (22 U.S.C. 4801 et seq.; relating to diplomatic security)), subject to congressional notification 15-days prior to any such award.”

**SEC. 113. TRANSFER AUTHORITY.**

Section 4 of the Foreign Service Buildings Act, 1926 (22 U.S.C. 295) is amended by adding at the end the following new subsection:

“(j)(1) In addition to exercising any other transfer authority available to the Secretary of State, and subject to paragraphs (2) and (3), the Secretary may transfer to, and merge with, any appropriation for embassy security, construction, and maintenance such amounts appropriated for fiscal year 2018 for any other purpose related to the administration of foreign affairs on or after January 1, 2017, if the Secretary determines such transfer is necessary to provide for the security of sites and buildings in foreign countries under the jurisdiction and control of the Secretary.

“(2) Any funds transferred pursuant to paragraph (1)—

“(A) shall not exceed 20 percent of any appropriation made available for fiscal year 2018 for the Department of State under the heading ‘Administration of Foreign Affairs’, and no such appropriation shall be increased by more than 10 percent by any such transfer; and

“(B) shall be merged with funds in the heading to which transferred, and shall be available subject to the same terms and conditions as the funds with which merged.

“(3) Not later than 15 days before any transfer of funds pursuant to paragraph (1), the Secretary of State shall notify in writing the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives. Any such notification shall include a description of the particular security need necessitating the transfer at issue.”

**SEC. 114. SECURITY ENHANCEMENTS FOR SOFT TARGETS.**

Section 29 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2701) is amended, in the third sentence, by inserting “physical security enhancements and” after “may include”.

**SEC. 115. EXEMPTION FROM CERTAIN PROCUREMENT PROTEST PROCEDURES FOR NONCOMPETITIVE CONTRACTING IN EMERGENCY CIRCUMSTANCES.**

A determination by the Department to use procedures other than competitive procedures under section 3304 of title 41, United States Code, in order to meet emergency security requirements, as determined by the Secretary or the Secretary’s designee, including physical security upgrades, protective equipment, and other immediate threat mitigation projects, shall not be subject to challenge by protest under either subchapter V of chapter 35 of title 31, United States Code, or section 1491 of title 28, United States Code.

**SEC. 116. SENSE OF CONGRESS REGARDING MINIMUM SECURITY STANDARDS FOR TEMPORARY UNITED STATES DIPLOMATIC AND CONSULAR POSTS.**

It is the sense of Congress that—

(1) the Overseas Security Policy Board’s security standards for facilities should apply to all facilities consistent with 12 FAM 311.2; and

(2) such facilities should comply with requirements for attaining a waiver or exception to applicable standards if it is in the national interest of the United States.

**SEC. 117. ASSIGNMENT OF PERSONNEL AT HIGH RISK, HIGH THREAT POSTS.**

The Secretary to the extent practicable shall station key personnel for sustained periods of time at high risk, high threat posts (as such term is defined in section 104 of the Omnibus Diplomatic Security and Antiterrorism Act of 1986, as added by section 401 of this Act) in order to—

(1) establish institutional knowledge and situational awareness that would allow for a fuller familiarization of the local political and security environment in which such posts are located; and

(2) ensure that necessary security procedures are implemented.

**SEC. 118. ANNUAL REPORT ON EMBASSY CONSTRUCTION COSTS.**

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act and annually thereafter, the Secretary shall submit to the appropriate congressional committees a comprehensive report regarding all ongoing embassy construction projects and major embassy security upgrade projects.

(b) CONTENTS.—Each report required under subsection (a) shall include the following with respect to each ongoing embassy construction projects and major embassy security upgrade projects:

- (1) The initial cost estimate.
- (2) The amount expended on the project to date.
- (3) The projected timeline for completing the project.
- (4) Any cost overruns incurred by the project.

(c) INITIAL REPORT.—The first report required under subsection (a) shall include an annex regarding all embassy construction projects and major embassy security upgrade projects completed during the 10-year period ending on the date of the enactment of this Act, including, for each such project, the following:

- (1) The initial cost estimate.
- (2) The amount actually expended on the project.
- (3) Any additional time required to complete the project beyond the initial timeline.
- (4) Any cost overruns incurred by the project.

**SEC. 119. EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE.**

Section 1 of the Foreign Service Buildings Act, 1926 (22 U.S.C. 292), is amended by adding at the end the following new subsection:

“(c) AUTHORIZATION FOR IMPROVEMENTS AND CONSTRUCTION.—The Secretary of State may improve or construct facilities overseas for other Federal departments and agencies on an advance-of-funds or reimbursable basis if such advances or reimbursements are credited to the Embassy Security, Construction, and Maintenance account and remain available until expended.”.

**Subtitle C—Security Training**

**SEC. 121. SECURITY TRAINING FOR PERSONNEL ASSIGNED TO HIGH RISK, HIGH THREAT POSTS.**

(a) IN GENERAL.—Title IV of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (22 U.S.C. 4851 et seq.; relating to diplomatic security) is amended by adding at the end the following new sections:

**“SEC. 416. SECURITY TRAINING FOR PERSONNEL ASSIGNED TO A HIGH RISK, HIGH THREAT POST.**

“(a) IN GENERAL.—Individuals assigned permanently to or who are in long-term temporary duty status as designated by the Secretary of State at a high risk, high threat post shall receive security training described in subsection (b) on a mandatory basis in order to prepare such individuals for living and working at such posts.

“(b) SECURITY TRAINING DESCRIBED.—Security training referred to in subsection (a)—

- “(1) is training to improve basic knowledge and skills; and
- “(2) may include—
  - “(A) an ability to recognize, avoid, and respond to potential terrorist situations, including a complex attack;
  - “(B) conducting surveillance detection;
  - “(C) providing emergency medical care;
  - “(D) ability to detect the presence of improvised explosive devices;
  - “(E) minimal firearms familiarization; and
  - “(F) defensive driving maneuvers.

“(c) EFFECTIVE DATE.—The requirements of this section shall take effect upon the date of the enactment of this section.

“(d) DEFINITIONS.—In this section and section 417:

“(1) COMPLEX ATTACK.—The term ‘complex attack’ has the meaning given such term by the North Atlantic Treaty Organization, as follows: ‘An attack conducted by multiple hostile elements which employ at least two distinct classes of weapon systems (i.e., indirect fire and direct fire, improvised explosive devices, and surface to air fire).’

“(2) HIGH RISK, HIGH THREAT POST.—The term ‘high risk, high threat post’ has the meaning given such term in section 104.

**“SEC. 417. SECURITY MANAGEMENT TRAINING FOR OFFICIALS ASSIGNED TO A HIGH RISK, HIGH THREAT POST.**

“(a) IN GENERAL.—Officials described in subsection (c) who are assigned to a high risk, high threat post shall receive security training described in subsection (b) on a mandatory basis in order to improve the ability of such officials to make security-related management decisions.

“(b) SECURITY TRAINING DESCRIBED.—Security training referred to in subsection (a) may include—

- “(1) development of skills to better evaluate threats;
- “(2) effective use of security resources to mitigate such threats; and
- “(3) improved familiarity of available security resources.

“(c) OFFICIALS DESCRIBED.—Officials referred to in subsection (a) are the following:

“(1) Members of the Senior Foreign Service appointed under section 302(a)(1) or 303 of the Foreign Service Act of 1980 (22 U.S.C. 3942(a)(1) and 3943) or members of the Senior Executive Service (as such term is described in section 3132(a)(2) of title 5, United States Code).

“(2) Foreign Service officers appointed under section 302(a)(1) of the Foreign Service Act of 1980 (22 U.S.C. 3942(a)(1)) holding a position in classes FS-1 or FS-2.

“(3) Foreign Service Specialists appointed by the Secretary under section 303 of the Foreign Service Act of 1980 (22 U.S.C. 3943) holding a position in classes FS-1 or FS-2.

“(4) Individuals holding a position in grades GS-14 or GS-15.

“(5) Personal services contractors and other contractors serving in positions or capacities similar to the officials described in paragraphs (1) through (4).

“(d) EFFECTIVE DATE.—The requirements of this section shall take effect beginning on the date that is one year after the date of the enactment of this section.”.

(b) CONFORMING AMENDMENT.—The table of contents of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 is amended by inserting after the item relating to section 415 the following new items:

“Sec. 416. Security training for personnel assigned to a high risk, high threat post.

“Sec. 417. Security management training for officials assigned to a high risk, high threat post.”.

**SEC. 122. SENSE OF CONGRESS REGARDING LANGUAGE REQUIREMENTS FOR DIPLOMATIC SECURITY PERSONNEL ASSIGNED TO HIGH RISK, HIGH THREAT POST.**

(a) IN GENERAL.—It is the sense of Congress that diplomatic security personnel assigned permanently to or who are in long-term temporary duty status as designated by the Secretary at a high risk, high threat post should receive language training described in subsection (b) in order to prepare such personnel for duty requirements at such post.

(b) LANGUAGE TRAINING DESCRIBED.—Language training referred to in subsection (a)

should prepare personnel described in such subsection to—

(1) speak the language at issue with sufficient structural accuracy and vocabulary to participate effectively in most formal and informal conversations on subjects germane to security; and

(2) read within an adequate range of speed and with almost complete comprehension on subjects germane to security.

**Subtitle D—Expansion of the Marine Corps Security Guard Detachment Program**

**SEC. 131. MARINE CORPS SECURITY GUARD PROGRAM.**

(a) IN GENERAL.—Pursuant to the responsibility of the Secretary for diplomatic security under section 103 of the Diplomatic Security Act (22 U.S.C. 4802; enacted as part of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (Public Law 99-399)), the Secretary, in consultation with the Secretary of Defense, shall conduct an annual review of the Marine Corps Security Guard Program, including the following:

(1) An evaluation of whether the size and composition of the Marine Corps Security Guard Program is adequate to meet global diplomatic security requirements.

(2) An assessment of whether the Marine Corps security guards are appropriately deployed among United States embassies, consulates, and other diplomatic facilities to respond to evolving security developments and potential threats to United States interests abroad.

(3) An assessment of the mission objectives of the Marine Corps Security Guard Program and the procedural rules of engagement to protect diplomatic personnel under the Program.

(b) REPORTING REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act and annually thereafter for three years, the Secretary, in consultation with the Secretary of Defense, shall submit to the Committee on Foreign Affairs, the Committee on Armed Services, and the Committee on Appropriations of the House of Representatives and the Committee on Foreign Relations, the Committee on Armed Services, and the Committee on Appropriations of the Senate an unclassified report, with a classified annex as necessary, that addresses the requirements specified in subsection (a).

**TITLE II—OFFICE OF INSPECTOR GENERAL OF THE DEPARTMENT OF STATE AND BROADCASTING BOARD OF GOVERNORS**

**SEC. 201. COMPETITIVE HIRING STATUS FOR FORMER EMPLOYEES OF THE OFFICE OF THE SPECIAL INSPECTOR GENERAL FOR IRAQ RECONSTRUCTION.**

Notwithstanding any other provision of law, any employee of the Office of the Special Inspector General for Iraq Reconstruction who completes at least 12 months of continuous employment within the Office at any time prior to October 5, 2013, and was not terminated for cause shall acquire competitive status for appointment to any position in the competitive service for which the employee possesses the required qualifications.

**SEC. 202. CERTIFICATION OF INDEPENDENCE OF INFORMATION TECHNOLOGY SYSTEMS OF THE OFFICE OF INSPECTOR GENERAL OF THE DEPARTMENT OF STATE AND BROADCASTING BOARD OF GOVERNORS.**

Not later than one year after the date of the enactment of this Act and annually thereafter for four years, the Secretary shall submit to the appropriate congressional committees, with respect to the network, information systems, and files of the Office of

Inspector General of the Department and Broadcasting Board of Governors managed by the Department, a certification that the Department has ensured the integrity and independence of such network, information systems, and files, including the prevention of access to such network, information systems, and files other than as authorized by the Inspector General or the Attorney General, or, for purposes of ensuring information and systems security pursuant to applicable statute, the Chief Information Officer of the Department.

**SEC. 203. PROTECTING THE INTEGRITY OF INTERNAL INVESTIGATIONS.**

Subsection (c) of section 209 of the Foreign Service Act of 1980 (22 U.S.C. 3929) is amended by adding at the end the following new paragraph:

“(6) REQUIRED REPORTING OF ALLEGATIONS AND INVESTIGATIONS AND INSPECTOR GENERAL AUTHORITY.—

“(A) IN GENERAL.—The head of a bureau, post, or other office of the Department of State (in this paragraph referred to as a ‘Department entity’) shall submit to the Inspector General a report of any allegation of—

“(i) waste, fraud, or abuse in a Department program or operation;

“(ii) criminal or serious misconduct on the part of a Department employee at the FS-1, GS-15, or GM-15 level or higher;

“(iii) criminal misconduct on the part of a Department employee; and

“(iv) serious, noncriminal misconduct on the part of any Department employee who is authorized to carry a weapon, make arrests, or conduct searches, such as conduct that, if proved, would constitute perjury or material dishonesty, warrant suspension as discipline for a first offense, or result in loss of law enforcement authority.

“(B) DEADLINE.—The head of a Department entity shall submit to the Inspector General a report of an allegation described in subparagraph (A) not later than five business days after the date on which the head of such Department entity is made aware of such allegation.”.

**SEC. 204. REPORT ON INSPECTOR GENERAL INSPECTION AND AUDITING OF FOREIGN SERVICE POSTS AND BUREAUS AND OTHER OFFICES OF THE DEPARTMENT.**

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Inspector General shall submit to the appropriate congressional committees a report on the requirement under section 209(a)(1) of the Foreign Service Act of 1980 (22 U.S.C. 3929(a)(1)) that the Inspector General inspect and audit, at least every five years, the administration of activities and operations of each Foreign Service post and each bureau or other office of the Department.

(b) CONSIDERATION OF MULTI-TIER SYSTEM.—The report required under subsection (a) shall assess the advisability and feasibility of implementing a multi-tier system for inspecting Foreign Service posts and bureaus and other offices of the Department under section 209(a)(1) of the Foreign Service Act of 1980 featuring more or less frequent inspections and audits based on risk, including security risk, as may be determined by the Inspector General.

**SEC. 205. IMPLEMENTING GAO AND OIG RECOMMENDATIONS.**

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Department has not implemented all of the recommendations made by the Government Accountability Office (GAO) and the Office of the Inspector General (OIG) related to embassy security and that some recommendations may yield potentially significant cost savings to the Department.

(b) BRIEFING.—The Secretary shall provide a briefing to the appropriate congressional

committees detailing the rationale for not implementing recommendations made by the GAO and OIG related to embassy security or those that may yield significant cost savings to the Department, if implemented.

**SEC. 206. INSPECTOR GENERAL SALARY LIMITATIONS.**

Section 412 of the Foreign Service Act of 1980 (22 U.S.C. 3972) is amended by inserting after subsection (a) the following new subsection:

“(b) The Inspector General of the United States Agency for International Development (USAID) shall limit the payment of special differentials to USAID Foreign Service criminal investigators to levels at which the aggregate of basic pay and special differential for any pay period would equal, for such criminal investigators, the bi-weekly pay limitations on premium pay regularly placed on other criminal investigators within the Federal law enforcement community. This provision shall be retroactive to January 1, 2013.”.

**TITLE III—INTERNATIONAL ORGANIZATIONS**

**SEC. 301. OVERSIGHT OF AND ACCOUNTABILITY FOR PEACEKEEPER ABUSES.**

(a) STRATEGY TO ENSURE REFORM AND ACCOUNTABILITY.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit, in unclassified form, to the appropriate congressional committees—

(1) a United States strategy for combating sexual exploitation and abuse in United Nations peacekeeping operations; and

(2) an implementation plan for achieving the objectives set forth in the strategy described in paragraph (1).

(b) OBJECTIVES.—The objectives of the strategy required under subsection (a) shall be the following:

(1) To dramatically reduce the incidence of sexual exploitation and abuse committed by civilian and military personnel assigned to United Nations peacekeeping operations.

(2) To ensure the introduction and implementation by the United Nations of improved training, oversight, and accountability mechanisms for United Nations peacekeeping operations and the personnel involved with such operations.

(3) To ensure swift justice for any such personnel who are found to have committed sexual exploitation or abuse.

(4) To assist the United Nations and troop- or police-contributing countries, as necessary and appropriate, to improve their ability to prevent, identify, and prosecute sexual exploitation or abuse by personnel involved in peacekeeping operations.

(c) ELEMENTS.—The strategy required under subsection (a) shall include the following elements and objectives:

(1) The amendment of the model memorandum of understanding and review of all current memorandums of understanding for troop- or police-contributing countries participating in United Nations peacekeeping operations to strengthen provisions relating to the investigation, repatriation, prosecution, and discipline of troops or police that are credibly alleged to have engaged in cases of misconduct.

(2) The establishment of onsite courts-martial, as appropriate, for the prosecution of crimes committed by military peacekeeping personnel, that is consistent with each peacekeeping operations’ status of forces agreement with its host country.

(3) The exploration of appropriate arrangements to waive the immunity of civilian employees of the United Nations and its specialized agencies, funds, and programs to enable the prosecution of such employees who are credibly alleged to have engaged in sexual exploitation, abuse, or other crimes.

(4) The creation of a United Nations Security Council ombudsman office that—

(A) is authorized to conduct ongoing oversight of peacekeeping operations;

(B) reports directly to the Security Council on—

(i) offenses committed by peacekeeping personnel or United Nations civilian staff or volunteers; and

(ii) the actions taken in response to such offenses; and

(C) provides reports to the Security Council on the conduct of personnel in each peacekeeping operation not less frequently than annually and before the expiration or renewal of the mandate of any such peacekeeping operation.

(5) The provision of guidance from the United Nations on the establishment of a standing claims commission for each peacekeeping operation—

(A) to address any grievances by a host country’s civilian population against United Nations personnel in cases of alleged abuses by peacekeeping personnel; and

(B) to provide means for the government of the country of which culpable United Nations peacekeeping or civilian personnel are nationals to compensate the victims of such crimes.

(6) The adoption of a United Nations policy and plan that increases the number of troop- or police-contributing countries that—

(A) obtain and maintain DNA samples from each national of such country who is a member of a United Nations military contingent or formed police unit, consistent with national laws, of such contingent or unit; and

(B) make such DNA samples available to investigators from the troop- or police-contributing country (except that such should not be made available to the United Nations) if allegations of sexual exploitation or abuse arise.

(7) The adoption of a United Nations policy that bars troop- or police-contributing countries that fail to fulfill their obligation to ensure good order and discipline among their troops from providing any further troops for peace operations or restricts peacekeeper reimbursements to such countries until appropriate training, institutional reform, and oversight mechanisms to prevent such problems from recurring have been put in place.

(8) The implementation of appropriate risk reduction policies, including refusal by the United Nations to deploy uniformed personnel from any troop- or police-contributing country that does not adequately—

(A) investigate allegations of sexual exploitation or abuse involving nationals of such country; and

(B) ensure justice for those personnel determined to have been responsible for such sexual exploitation or abuse.

(d) IMPLEMENTATION.—The United States Permanent Representative to the United Nations shall use the voice, vote, and influence of the United States at the United Nations to advance the objectives of the strategy required by subsection (a).

(e) PEACEKEEPING TRAINING.—The United States should deny further United States peacekeeper training or related assistance, except for training specifically designed to reduce the incidence of sexual exploitation or abuse, or to assist in its identification or prosecution, to any troop- or police-contributing country that does not—

(1) implement and maintain effective measures to enhance the discovery of sexual exploitation and abuse offenses committed by peacekeeping personnel who are nationals of such country;



(2) adequately respond to complaints about such offenses by carrying out swift and effective disciplinary action against the personnel who are found to have committed such offenses; and

(3) provide detailed reporting to the ombudsman described in subsection (c)(4) (or other appropriate United Nations official) that describes the offenses committed by the nationals of such country and such country's responses to such offenses.

(f) ASSISTANCE.—The United States should develop support mechanisms to assist troop- or police-contributing countries, as necessary and appropriate—

(1) to improve their capacity to investigate allegations of sexual exploitation and abuse offenses committed by nationals of such countries while participating in a United Nations peacekeeping operation; and

(2) to appropriately hold accountable any individual who commits an act of sexual exploitation or abuse.

(g) HUMAN RIGHTS REPORTING.—In coordination with the ombudsman described in subsection (c)(4) (or other appropriate United Nations official), the Secretary shall identify, in the Department's annual country reports on human rights practices, the countries of origin of any peacekeeping personnel or units that—

(1) are characterized by noteworthy patterns of sexual exploitation or abuse; or

(2) have failed to institute appropriate institutional and procedural reforms after being made aware of any such patterns.

#### SEC. 302. REIMBURSEMENT OF CONTRIBUTING COUNTRIES.

It is the policy of the United States that—

(1) the present formula for determining the troop reimbursement rate paid to troop- and police-contributing countries for United Nations peacekeeping operations should be clearly explained and made available to the public on the United Nations Department of Peacekeeping Operations website;

(2) regular audits of the nationally-determined pay and benefits given to personnel from troop- and police-contributing countries participating in United Nations peacekeeping operations should be conducted to help inform the reimbursement rate referred to in paragraph (1); and

(3) the survey mechanism developed by the United Nations Secretary General's Senior Advisory Group on Peacekeeping Operations for collecting troop- and police-contributing country data on common and extraordinary expenses associated with deploying personnel to peacekeeping operations should be coordinated with the audits described in paragraph (2) to ensure proper oversight and accountability.

#### SEC. 303. WITHHOLDING OF ASSISTANCE.

It is the policy of the United States that security assistance should not be provided to any unit of the security forces of a foreign country if such unit has engaged in a gross violation of human rights or in acts of sexual exploitation or abuse, including while serving in a United Nations peacekeeping operation.

#### SEC. 304. UNITED NATIONS PEACEKEEPING ASSESSMENT FORMULA.

The Secretary shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to urge the United Nations to share the raw data used to calculate Member State peacekeeping assessment rates and to make available the formula for determining peacekeeping assessments.

#### SEC. 305. REIMBURSEMENT OR APPLICATION OF CREDITS.

Notwithstanding any other provision of law, the President shall direct the United

States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to seek and timely obtain a commitment from the United Nations to make available to the United States any peacekeeping credits that are generated from a closed peacekeeping operation.

#### SEC. 306. REPORT ON UNITED STATES CONTRIBUTIONS TO THE UNITED NATIONS RELATING TO PEACEKEEPING OPERATIONS.

(a) IN GENERAL.—Paragraph (1) of section 4(c) of the United Nations Participation Act of 1945 (22 U.S.C. 287b(c)) is amended—

(1) by amending subparagraph (A) to read as follows:

“(A) A description of all assistance from the United States to the United Nations to support peacekeeping operations that—

“(i) was provided during the previous fiscal year;

“(ii) is expected to be provided during the fiscal year or

“(iii) is included in the annual budget request to Congress for the forthcoming fiscal year.”;

(2) by amending subparagraph (D) to read as follows:

“(D) For assessed or voluntary contributions described in subparagraph (B)(iii) or (C)(iii) that exceed \$100,000 in value, including in-kind contributions—

“(i) the total amount or estimated value of all such contributions to the United Nations and to each of its affiliated agencies and related bodies;

“(ii) the nature and estimated total value of all in-kind contributions in support of United Nations peacekeeping operations and other international peacekeeping operations, including—

“(I) logistics;

“(II) airlift;

“(III) arms and materiel;

“(IV) nonmilitary technology and equipment;

“(V) personnel; and

“(VI) training;

“(iii) the approximate percentage of all such contributions to the United Nations and to each such agency or body when compared with all contributions to the United Nations and to each such agency or body from any source; and

“(iv) for each such United States Government contribution to the United Nations and to each such agency or body—

“(I) the amount or value of the contribution;

“(II) a description of the contribution, including whether it is an assessed or voluntary contribution;

“(III) the purpose of the contribution;

“(IV) the department or agency of the United States Government responsible for the contribution; and

“(V) the United Nations or United Nations affiliated agency or related body that received the contribution.”; and

(3) by adding at the end the following new subparagraph:

“(E) The report required under this subsection shall be submitted in unclassified form, but may include a classified annex.”.

(b) PUBLIC AVAILABILITY OF INFORMATION.—Not later than 14 days after submitting each report under section 4(c) of the United Nations Participation Act of 1945 (22 U.S.C. 287b(c)), the Director of the Office of Management and Budget shall post a text-based, searchable version of any unclassified information described in paragraph (1)(D) of such section (as amended by subsection (a) of this section) on a publicly available website.

#### SEC. 307. WHISTLEBLOWER PROTECTIONS FOR UNITED NATIONS PERSONNEL.

The President shall direct the United States Permanent Representative to the

United Nations to use the voice, vote, and influence of the United States at the United Nations to—

(1) call for the removal of any official of the United Nations or of any United Nations agency, program, commission, or fund who the Secretary has determined has failed to uphold the highest standards of ethics and integrity established by the United Nations, including such standards specified in United Nations Codes of Conduct and Codes of Ethics, or whose conduct, with respect to preventing sexual exploitation and abuse by United Nations peacekeepers, has resulted in the erosion of public confidence in the United Nations;

(2) ensure that best practices with regard to whistleblower protections are extended to all personnel serving the United Nations or serving any United Nations agency, program, commission, or fund, especially personnel participating in United Nations peacekeeping operations, United Nations police officers, United Nations staff, contractors, and victims of misconduct, wrongdoing, or criminal behavior involving United Nations personnel;

(3) ensure that the United Nations implements protective measures for whistleblowers who report significant allegations of misconduct, wrongdoing, or criminal behavior by personnel serving the United Nations or serving any United Nations agency, program, commission, or fund, especially personnel participating in United Nations peacekeeping operations, United Nations staff, or contractors, specifically by implementing best practices for the protection of such whistleblowers from retaliation, including—

(A) protection against retaliation for internal and lawful public disclosures;

(B) legal burdens of proof;

(C) statutes of limitation for reporting retaliation;

(D) access to independent adjudicative bodies, including external arbitration; and

(E) results that eliminate the effects of proven retaliation;

(4) insist that the United Nations provides adequate redress to any whistleblower who has suffered from retribution in violation of the protective measures specified in paragraph (3), including reinstatement to any position from which such whistleblower was wrongfully removed, or reassignment to a comparable position at the same level of pay, plus any compensation for any arrearage in salary to which such whistleblower would have otherwise been entitled but for the wrongful retribution;

(5) call for public disclosure of the number and general description of—

(A) complaints submitted to the United Nations' Ethics Office, local Conduct and Discipline teams, or other entity designated to receive complaints from whistleblowers;

(B) determinations that probable cause exists to conduct an investigation, and specification of the entity conducting such investigation, including the Office of Internal Oversight Services, the Office of Audit and Investigations (for UNDP), the Office of Internal Audit (for UNICEF), and the Inspector General's Office (for UNHCR);

(C) dispositions of such investigations, including dismissal and referral for adjudication, specifying the adjudicating entity, such as the United Nations Dispute Tribunal; and

(D) results of adjudication, including disciplinary measures proscribed and whether such measures were effected, including information with respect to complaints regarding allegations of sexual exploitation and abuse by United Nations peacekeepers, allegations of fraud in procurement and contracting, and all other allegations of misconduct, wrongdoing, or criminal behavior;

(6) insist that the full, unredacted text of any investigation or adjudication referred to in paragraph (5) are made available to Member States upon request; and

(7) call for an examination of the feasibility of establishing a stand-alone agency at the United Nations, independent of the Secretary General, to investigate all allegations of misconduct, wrongdoing, or criminal behavior, reporting to the Member States of the General Assembly, paid for from the United Nations regular budget, to replace existing investigative bodies, including the Office of Internal Oversight Services, the Office of Audit and Investigations, the Office of Internal Audit, and the Office of Inspector General of the Department of State and the Broadcasting Board of Governors.

**SEC. 308. ENCOURAGING EMPLOYMENT OF UNITED STATES CITIZENS AT THE UNITED NATIONS.**

Section 181 of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (22 U.S.C. 276c-4) is amended to read as follows:

**“SEC. 181. EMPLOYMENT OF UNITED STATES CITIZENS BY CERTAIN INTERNATIONAL ORGANIZATIONS.**

“Not later than 180 days after the date of the enactment of the Department of State Authorization Act, Fiscal Year 2017, and annually thereafter for three years, the Secretary of State shall submit to Congress a report that provides—

“(1) for each international organization that had a geographic distribution formula in effect on January 1, 1991, an assessment of whether that organization—

“(A) is taking good faith steps to increase the staffing of United States citizens, including, as appropriate, as assessment of any additional steps the organization could be taking to increase such staffing; and

“(B) has met the requirements of its geographic distribution formula; and

“(2) an assessment of United States representation among professional and senior-level positions at the United Nations, including—

“(A) an assessment of the proportion of United States citizens employed at the United Nations Secretariat and at all United Nations specialized agencies, funds, and programs relative to the total employment at the United Nations Secretariat and at all such agencies, funds, and programs;

“(B) an assessment of compliance by the United Nations Secretariat and such agencies, funds, and programs with any applicable geographic distribution formula; and

“(C) a description of any steps taken or planned to be taken by the United States to increase the staffing of United States citizens at the United Nations Secretariat and such agencies, funds and programs.”

**SEC. 309. STATEMENT OF POLICY ON MEMBER STATE'S VOTING PRACTICES AT THE UNITED NATIONS.**

It is the policy of the United States to strongly consider a Member State's voting practices at the United Nations before entering into any agreements with the Member State.

**SEC. 310. QUALIFICATIONS OF THE UNITED NATIONS SECRETARY GENERAL.**

(a) SENSE OF CONGRESS.—The Secretary shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to urge each future candidate for the position of the United Nations Secretary General to circulate to the Member States of the General Assembly a description of his or her priorities and objectives for leading the organization and ensuring that it upholds the principles outlined by the United Nations Charter, including specific recommendations to improve strategic

planning and enact far-reaching management, performance, and accountability reforms.

(b) PROPOSAL FOR UNITED NATIONS REFORM.—The descriptions referred to in subsection (a) shall include the following elements:

(1) A process for determining the goals, objectives, and benchmarks for the timely withdrawal of peacekeeping forces prior to the approval by the United Nations Security Council of a new or expanded peacekeeping operation.

(2) A proposal for ensuring that the numbers and qualifications of staff are clearly aligned with the specific needs of each United Nations agency, mission, and program, including measures to ensure that such agencies, missions, and programs have the flexibility needed to hire and release employees as workforce needs change over time.

(c) STATEMENT OF POLICY.—It is the policy of the United States to withhold support for any candidate for the position of United Nations Secretary General unless such candidate has produced a clear vision for leading the United Nations, including a robust reform agenda as described in subsection (b), and circulated such 1 to the Member States of the General Assembly.

**SEC. 311. POLICY REGARDING THE UNITED NATIONS HUMAN RIGHTS COUNCIL.**

(a) SENSE OF CONGRESS.—It is the sense of Congress that the United States should use its voice, vote, and influence at the United Nations to work to ensure that—

(1) the United Nations Human Rights Council takes steps to remove permanent items on the United Nations Human Rights Council's agenda or program of work that target or single out a specific country or a specific territory or territories;

(2) the United Nations Human Rights Council does not include a Member State of the United Nations—

(A) subject to sanctions by the United Nations Security Council;

(B) under a United Nations Security Council-mandated investigation for human rights abuses;

(C) which the Secretary has determined, for purposes of section 6(j) of the Export Administration Act of 1979 (as continued in effect pursuant to the International Emergency Economic Powers Act), section 40 of the Arms Export Control Act, section 620A of the Foreign Assistance Act of 1961, or other provision of law, is a government that has repeatedly provided support for acts of international terrorism; or

(D) which the President has designated as a country of particular concern for religious freedom under section 402(b) of the International Religious Freedom Act of 1998; and

(3) the percentage of United States citizens employed at the senior level in each of the Research and Right to Development Division, the Human Rights Treaties Division, the Field Operations and Technical Cooperation Division, and the Human Rights Council and Special Procedures Division of the United Nations Human Rights Office of the High Commissioner during the most recently completed plenary session of the United Nations General Assembly is at least equivalent to the percentage of the total United States assessed contribution to the United Nations regular budget during such plenary session of the United Nations General Assembly.

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter for each of the following five years, the Secretary shall submit to the appropriate congressional committees a report that describes—

(1) the resolutions that were considered in the United Nations Human Rights Council during the previous 12 months;

(2) the steps that have been taken during that 12-month period to remove permanent items on the United Nations Human Rights Council's agenda or program of work that target or single out a specific country or a specific territory or territories;

(3) a detailed list of any country currently on, or running for a seat on, the United Nations Human Rights Council that meets any of the criteria described in subparagraph (A), (B), (C), or (D) of subsection (a)(3); and

(4) the current employment breakdown by nationality at each of the four major divisions of the United Nations Human Rights Office of the High Commissioner as specified in subsection (a)(4).

**SEC. 312. ADDITIONAL REPORT ON OTHER UNITED STATES CONTRIBUTIONS TO THE UNITED NATIONS.**

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act and annually thereafter, the Director of the Office of Management and Budget shall submit to Congress a report on all assessed and voluntary contributions with a value greater than \$100,000, including in-kind, of the United States Government to the United Nations and its affiliated agencies and related bodies during the previous fiscal year.

(b) CONTENT.—The report required under subsection (a) shall include the following elements:

(1) The total amount of all assessed and voluntary contributions, including in-kind, of the United States Government to the United Nations and its affiliated agencies and related bodies during the previous fiscal year.

(2) The approximate percentage of United States Government contributions to each United Nations affiliated agency or body in such fiscal year when compared with all contributions to each such agency or body from any source in such fiscal year.

(3) For each such United States Government contribution—

(A) the amount of each such contribution;

(B) a description of each such contribution (including whether assessed or voluntary);

(C) the department or agency of the United States Government responsible for each such contribution;

(D) the purpose of each such contribution; and

(E) the United Nations or its affiliated agency or related body receiving the contribution.

(c) SCOPE OF INITIAL REPORT.—The first report required under subsection (a) shall include the information required under this section for the previous three fiscal years.

(d) PUBLIC AVAILABILITY OF INFORMATION.—Not later than 14 days after submitting a report required under subsection (a), the Director of the Office of Management and Budget shall post a public version of such report on a text-based, searchable, and publicly available Internet Web site.

**SEC. 313. COMPARATIVE REPORT ON PEACEKEEPING OPERATIONS.**

Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the appropriate congressional committees a report on the costs, strengths, and limitations of United States and United Nations peacekeeping operations, which shall include—

(1) a comparison of the costs of current United Nations peacekeeping operations and the estimated cost of comparable United States peacekeeping operations; and

(2) an analysis of the strengths and limitations of—

(A) a peacekeeping operation led by the United States; and

(B) a peacekeeping operation led by the United Nations.

#### TITLE IV—PERSONNEL AND ORGANIZATIONAL ISSUES

##### SEC. 401. LOCALLY-EMPLOYED STAFF WAGES.

(a) MARKET-RESPONSIVE STAFF WAGES.—Not later than 180 days after the date of enactment of this Act and periodically thereafter, the Secretary shall establish and implement a prevailing wage rates goal for positions in the local compensation plan, as described in section 408 of the Foreign Service Act of 1980 (22 U.S.C. 3968), at each diplomatic post that—

(1) is based on the specific recruiting and retention needs of each such post and local labor market conditions, as determined annually; and

(2) is not less than the 50th percentile of the prevailing wage for comparable employment in the labor market surrounding each such post.

(b) EXCEPTION.—The prevailing wage rate goal established under subsection (a) shall not apply if compliance with such subsection would be inconsistent with applicable United States law, the law in the locality of employment, or the public interest.

(c) RECORDKEEPING REQUIREMENT.—The analytical assumptions underlying the calculation of wage levels at each diplomatic post under subsection (a), and the data upon which such calculation is based—

(1) shall be filed electronically and retained for not less than five years; and

(2) shall be made available to the appropriate congressional committees upon request.

##### SEC. 402. EXPANSION OF CIVIL SERVICE OPPORTUNITIES.

It is the sense of Congress that the Department should—

(1) expand the Overseas Development Program from 20 positions to not fewer than 40 positions within one year of the date of the enactment of this Act;

(2) analyze the costs and benefits of further expansion of the Overseas Development Program; and

(3) expand the Overseas Development Program to more than 40 positions if the benefits identified in paragraph (2) outweigh the costs identified in such paragraph.

##### SEC. 403. PROMOTION TO THE SENIOR FOREIGN SERVICE.

Section 601(c) of the Foreign Service Act of 1980 (22 U.S.C. 4001(c)) is amended by adding at the end the following new paragraph:

“(6)(A) The promotion of any individual joining the Service on or after January 1, 2017, to the Senior Foreign Service shall be contingent upon such individual completing at least one tour in—

“(i) a global affairs bureau; or

“(ii) a global affairs position.

“(B) The requirements under subparagraph (A) shall not apply if the Secretary certifies that the individual proposed for promotion to the Senior Foreign Service—

“(i) has met all other requirements applicable to such promotion; and

“(ii) was unable to complete a tour in a global affairs bureau or global affairs position because there was not a reasonable opportunity for such individual to be assigned to such a position.

“(C) In this paragraph—

“(i) the term ‘global affairs bureau’ means any bureau of the Department that is under the responsibility of—

“(I) the Under Secretary for Economic Growth, Energy, and Environment;

“(II) the Under Secretary for Arms Control and International Security Affairs;

“(III) the Under Secretary for Management;

“(IV) the Assistant Secretary for International Organization Affairs;

“(V) the Under Secretary for Public Diplomacy and Public Affairs; or

“(VI) the Under Secretary for Civilian, Security, Democracy, and Human Rights; and

“(ii) the term ‘global affairs position’ means any position funded with amounts appropriated to the Department under the heading ‘Diplomatic Policy and Support’.”

##### SEC. 404. LATERAL ENTRY INTO THE FOREIGN SERVICE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Foreign Service should permit mid-career entry into the Foreign Service for qualified individuals who are willing to bring their outstanding talents and experiences to the work of the Foreign Service.

(b) PILOT PROGRAM.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall establish a three-year pilot program for lateral entry into the Foreign Service that—

(1) targets mid-career individuals from the civil service and private sector who have skills and experience that would be extremely valuable to the Foreign Service;

(2) is in full comportment with current Foreign Service intake procedures, including the requirement to pass the Foreign Service exam;

(3) offers participants in such pilot program placement in the Foreign Service at a grade level higher than FS-4 if such placement is warranted by the education and qualifying experience of such individuals;

(4) requires only one directed assignment in a position appropriate to such pilot program participant’s grade level;

(5) includes, as part of the required initial training, a class or module that specifically prepares participants in such pilot program for life in the Foreign Service, including conveying to such participants essential elements of the practical knowledge that is normally acquired during a Foreign Service officer’s initial assignments; and

(6) includes an annual assessment of the progress of such pilot program by a review board consisting of Department officials with appropriate expertise, including employees of the Foreign Service, in order to evaluate such pilot program’s success.

(c) ANNUAL REPORTING.—Not later than one year after the date of the enactment of this Act and annually thereafter for the duration of the pilot program described in subsection (b), the Secretary shall submit to the appropriate congressional committees a report that describes the following:

(1) The cumulative number of accepted and unaccepted applicants to such pilot program.

(2) The cumulative number of pilot program participants placed into each Foreign Service cone.

(3) The grade level at which each pilot program participant entered the Foreign Service.

(4) Information about the first assignment to which each pilot program participant was directed.

(5) The structure and operation of such pilot program, including—

(A) the operation of such pilot program to date; and

(B) any observations and lessons learned about such pilot program that the Secretary considers relevant.

(d) LONGITUDINAL DATA.—The Secretary shall—

(1) collect and maintain data on the career progression of each pilot program participant for the length of each participant’s Foreign Service career; and

(2) make the data described in paragraph (1) available to the appropriate congressional committees upon request.

##### SEC. 405. REEMPLOYMENT OF ANNUITANTS AND WORKFORCE RIGHTSIZING.

(a) WAIVER OF ANNUITY LIMITATIONS.—Subsection (g) of section 824 of the Foreign Service Act of 1980 (22 U.S.C. 4064) is amended—

(1) in paragraph (1)(B), by striking “to facilitate the” and all that follows through “Afghanistan.”;

(2) by striking paragraph (2); and

(3) by redesignating paragraph (3) as paragraph (2).

(b) REPEAL OF SUNSET PROVISION.—Subsection (a) of section 61 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2733) is amended to read as follows:

“(a) AUTHORITY.—The Secretary of State may waive the application of section 8344 or 8468 of title 5, United States Code, on a case-by-case basis, for employment of an annuitant in a position in the Department of State for which there is exceptional difficulty in recruiting or retaining a qualified employee, or when a temporary emergency hiring need exists.”

(c) RIGHTSIZING REPORT.—On the date on which the President’s annual budget request is submitted to Congress each year through 2022, the Secretary shall submit to the appropriate congressional committees a report that describes the implementation status of all rightsizing recommendations made by the Office of Management, Policy, Rightsizing, and Innovation of the Department related to overseas staffing levels, including whether each such recommendation was accepted or rejected by the relevant chief of mission and regional bureau.

##### SEC. 406. INTEGRATION OF FOREIGN ECONOMIC POLICY.

(a) IN GENERAL.—The Secretary, in conjunction with the Under Secretary of Economic Growth, Energy, and the Environment, shall establish—

(1) foreign economic policy priorities for each regional bureau, including for individual countries, as appropriate; and

(2) policies and guidance for integrating such foreign economic policy priorities throughout the Department.

(b) DEPUTY ASSISTANT SECRETARY.—Within each regional bureau of the Department, the Secretary shall task an existing Deputy Assistant Secretary with appropriate training and background in economic and commercial affairs with the responsibility for economic matters and interests within the responsibilities of each such regional bureau, including the integration of the foreign economic policy priorities established pursuant to subsection (a).

(c) TRAINING.—The Secretary shall establish curriculum at the George P. Shultz National Foreign Affairs Training Center to develop the practical foreign economic policy expertise and skill sets of Foreign Service officers, including by making available distance-learning courses in commercial, economic, and business affairs, including in the following:

(1) The global business environment.

(2) The economics of development.

(3) Development and infrastructure finance.

(4) Current trade and investment agreements negotiations.

(5) Implementing existing multilateral and World Trade Organization agreements, and United States trade and investment agreements.

(6) Best practices for customs and export procedures.

(7) Market analysis and global supply chain management.

##### SEC. 407. TRAINING SUPPORT SERVICES.

Subparagraph (B) of section 704(a)(4) of the Foreign Service Act of 1980 (22 U.S.C. 4024(a)(4)) is amended by striking “language

instructors, linguists, and other academic and training specialists" and inserting "education and training specialists, including language instructors and linguists, and other specialists who perform work directly relating to the design, delivery, oversight, or coordination of training delivered by the institution".

**SEC. 408. SPECIAL AGENTS.**

(a) IN GENERAL.—Paragraph (1) of section 37(a) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2709(a)) is amended to read as follows:

"(1) conduct investigations concerning—  
 "(A) illegal passport or visa issuance or use;

"(B) identity theft or document fraud affecting or relating to the programs, functions, or authorities of the Department of State; or

"(C) Federal offenses committed within the special maritime and territorial jurisdiction of the United States (as defined in section 7(9) of title 18, United States Code), except as such jurisdiction relates to the premises of United States military missions and related residences;"

(b) CONSTRUCTION.—Nothing in the amendment made by subsection (a) may be construed to limit the investigative authority of any Federal department or agency other than the Department.

**SEC. 409. LIMITED APPOINTMENTS IN THE FOREIGN SERVICE.**

Section 309 of the Foreign Service Act of 1980 (22 U.S.C. 3949), is amended—

(1) in subsection (a) by striking "subsection (b)" and inserting "subsections (b) and (c)";

(2) in subsection (b)—

(A) in paragraph (3)—

(i) by striking "if continued service" and inserting the following: "if—  
 "(A) continued service";

(ii) in such subparagraph (A) (as so inserted and designated by clause (i) of this subparagraph), by inserting "or" after the semicolon at the end; and

(iii) by adding at the end the following new subparagraph:

"(B) the individual is serving in the uniformed services (as defined in section 4303 of title 38, United States Code) and the limited appointment expires in the course of such service;"

(B) in paragraph (4), by striking "and" at the end;

(C) in paragraph (5), by striking the period at the end and inserting a semicolon; and

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

"(6) in exceptional circumstances if the Secretary determines the needs of the Service require the extension of—

"(A) a limited noncareer appointment for a period not to exceed one year; or

"(B) a limited appointment of a career candidate for the minimum time needed to resolve a grievance, claim, investigation, or complaint not otherwise provided for in this section."; and

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

"(c)(1) Except as provided in paragraph (2) noncareer employees who have served for five consecutive years under a limited appointment under this section may be reappointed to a subsequent noncareer limited appointment if there is at least a one-year break in service before such new appointment.

"(2) The Secretary may waive the one-year break requirement under paragraph (1) in cases of special need."

**SEC. 410. REPORT ON DIVERSITY RECRUITMENT, EMPLOYMENT, RETENTION, AND PROMOTION.**

(a) IN GENERAL.—The Secretary should provide oversight to the employment, retention,

and promotion of traditionally under-represented minority groups.

(b) ADDITIONAL RECRUITMENT AND OUTREACH REQUIRED.—The Department should conduct recruitment activities that—

(1) develop and implement effective mechanisms to ensure that the Department is able effectively to recruit and retain highly qualified candidates from a wide diversity of institutions; and

(2) improve and expand recruitment and outreach programs at minority-serving institutions.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act and quadrennially thereafter, the Secretary shall submit to Congress a comprehensive report that describes the efforts, consistent with existing law, including procedures, effects, and results of the Department since the period covered by the prior such report, to promote equal opportunity and inclusion for all American employees in direct hire and personal service contractors status, particularly employees of the Foreign Service, including equal opportunity for all traditionally under-represented minority groups.

**SEC. 411. MARKET DATA FOR COST-OF-LIVING ADJUSTMENTS.**

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report that examines the feasibility and cost effectiveness of using private sector market data to determine cost of living adjustments for Foreign Service officers and Federal Government civilians who are stationed abroad.

(b) CONTENT.—The report required under subsection (a) shall include—

(1) a list of at least four private sector providers of international cost-of-living data that the Secretary determines are qualified to provide such data;

(2) a list of cities in which the Department maintains diplomatic posts for which private sector cost-of-living data is not available;

(3) a comparison of—

(A) the cost of purchasing cost-of-living data from each provider listed in paragraph (1); and

(B) the cost (including Department labor costs) of producing such rates internally; and

(4) for countries in which the Department provides a cost-of-living allowance greater than zero and the World Bank estimates that the national price level of the country is less than the national price level of the United States, a comparison of cost-of-living allowances, excluding housing costs, of the private sector providers referred to in paragraph (1) to rates constructed by the Department's Office of Allowances.

(c) WAIVER.—If the Secretary determines that compliance with subsection (b)(4) at a particular location is cost-prohibitive, the Secretary may waive the requirement under such subsection for such location if the Secretary submits to the appropriate congressional committees written notice and an explanation of the reasons for such waiver.

**SEC. 412. TECHNICAL AMENDMENT TO FEDERAL WORKFORCE FLEXIBILITY ACT.**

Chapter 57 of title 5, United States Code, is amended—

(1) in subparagraph (A) of section 5753(a)(2), by inserting ", excluding members of the Foreign Service other than chiefs of mission and ambassadors at large" before the semicolon at the end; and

(2) in subparagraph (A) of section 5754(a)(2), by inserting ", excluding members of the Foreign Service other than chiefs of mission and ambassadors at large" before the semicolon at the end.

**SEC. 413. RETENTION OF MID- AND SENIOR-LEVEL PROFESSIONALS FROM TRADITIONALLY UNDER-REPRESENTED MINORITY GROUPS.**

The Secretary should provide attention and oversight to the employment, retention, and promotion of traditionally under-represented minority groups to promote a diverse representation among mid- and senior-level career professionals through programs such as—

(1) the International Career Advancement Program;

(2) Seminar XXI at the Massachusetts Institute of Technology's Center for International Studies; and

(3) other highly respected international leadership programs.

**SEC. 414. EMPLOYEE ASSIGNMENT RESTRICTIONS.**

(a) APPEAL OF ASSIGNMENT RESTRICTION.—The Secretary shall establish a right and process for employees to appeal any assignment restriction or preclusion.

(b) CERTIFICATION.—Upon full implementation of a right and process for employees to appeal an assignment restriction or preclusion under subsection (a), the Secretary shall submit to the appropriate congressional committee a report that—

(1) certifies that such process has been fully implemented;

(2) includes a detailed description of such process; and

(3) details the number and nature of assignment restrictions and preclusions for the previous three years.

(c) NOTICE.—The Secretary shall—

(1) publish in the Foreign Affairs Manual information relating to the right and process established pursuant to subsection (a); and

(2) include a reference to such publication in the report required under subsection (b).

(d) PROHIBITING DISCRIMINATION.—Paragraph (2) of section 502(a) of the Foreign Service Act of 1980 (22 U.S.C. 3982(a)) is amended—

(1) by inserting "or prohibited from being assigned to" after "assigned to"; and

(2) by striking "exclusively".

**SEC. 415. SECURITY CLEARANCE SUSPENSIONS.**

(a) IN GENERAL.—Section 610 of the Foreign Service Act of 1980 (22 U.S.C. 4010) is amended—

(1) by striking the section heading and inserting the following: "**SEPARATION FOR CAUSE; SUSPENSION**"; and

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

"(c)(1) In order to promote the efficiency of the Service, the Secretary may suspend a member of the Service when—

"(A) the member's security clearance is suspended; or

"(B) there is reasonable cause to believe that the member has committed a crime for which a sentence of imprisonment may be imposed.

"(2) Any member of the Service for whom a suspension is proposed under this subsection shall be entitled to—

"(A) written notice stating the specific reasons for the proposed suspension;

"(B) a reasonable time to respond orally and in writing to the proposed suspension;

"(C) obtain at such member's own expense representation by an attorney or other representative; and

"(D) a final written decision, including the specific reasons for such decision, as soon as practicable.

"(3) Any member suspended under this subsection may file a grievance in accordance with the procedures applicable to grievances under chapter 11 of title 5.

"(4) If a grievance is filed pursuant to paragraph (3)—

“(A) the review by the Foreign Service Grievance Board shall be limited to a determination of whether the provisions of paragraphs (1) and (2) have been fulfilled; and

“(B) the Board may not exercise the authority provided under section 1106(8).

“(5) In this subsection:

“(A) The term ‘reasonable time’ means—

“(i) with respect to a member of the Service assigned to duty in the United States, 15 days after receiving notice of the proposed suspension; and

“(ii) with respect to a member of the Service assigned to duty outside the United States, 30 days after receiving notice of the proposed suspension.

“(B) The terms ‘suspend’ and ‘suspension’ mean placing a member of the Foreign Service in a temporary status without duties.”

(b) **CLERICAL AMENDMENT.**—The table of contents in section 2 of the Foreign Service Act of 1980 is amended by striking the item relating to section 610 and inserting the following new item:

“Sec. 610. Separation for cause; Suspension.”

**SEC. 416. SENSE OF CONGRESS ON THE INTEGRATION OF POLICIES RELATED TO THE PARTICIPATION OF WOMEN IN PREVENTING AND RESOLVING CONFLICTS.**

It is the sense of Congress that—

(1) within each regional bureau of the Department, the Secretary should task an existing Deputy Assistant Secretary with the responsibility for overseeing the integration of policy priorities related to the importance of the participation of women in preventing and resolving conflicts; and

(2) the Director of the George P. Shultz National Foreign Affairs Training Center should incorporate at least one training session related to the importance of the participation of women in preventing and resolving conflicts into—

(A) the A-100 course attended by Foreign Service Officers; and

(B) with respect to Foreign Service Officers who have completed the A-100 course, at least one training course that will be completed not later than the date that is 1 year after the date of the enactment of this Act.

**SEC. 417. FOREIGN SERVICE FAMILIES WORKFORCE STUDY.**

Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report on workforce issues and challenges to career opportunities pertaining to tandem couples in the Foreign Service as well as couples with respect to which only one spouse is in the Foreign Service.

**SEC. 418. SPECIAL ENVOYS, REPRESENTATIVES, ADVISORS, AND COORDINATORS OF THE DEPARTMENT.**

Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report on special envoys, representatives, advisors, and coordinators of the Department, that includes—

(1) a tabulation of the current names, ranks, positions, and responsibilities of all special envoy, representative, advisor, and coordinator positions at the Department, with a separate accounting of all such positions at the level of Assistant Secretary (or equivalent) or above; and

(2) for each position identified pursuant to paragraph (1)—

(A) the date on which such position was created;

(B) the mechanism by which such position was created, including the authority under which such position was created;

(C) such positions authorized under section (d) of section 1 of the State Department

Basic Authorities Act of 1956 (22 U.S.C. 2651a);

(D) a description of whether, and the extent to which, the responsibilities assigned to such position duplicate the responsibilities of other current officials within the Department, including other special envoys, representatives, advisors, and coordinators;

(E) which current official of the Department would be assigned the responsibilities of such position in the absence of such position;

(F) to which current official of the Department such position directly reports;

(G) the total number of staff assigned to support such position; and

(H) with the exception of positions created by statute, a detailed explanation of the necessity of such position to the effective conduct of the foreign affairs of the United States.

**SEC. 419. COMBATING ANTI-SEMITISM.**

Not later than 180 days after the date of the enactment of this Act, the Special Envoy to Monitor and Combat Anti-Semitism of the Office to Monitor and Combat Anti-Semitism of the Department shall provide to the appropriate congressional committees a briefing on United States support to, and opportunities to coordinate with, American and European Jewish and other civil society organizations, focusing on youth, to combat anti-Semitism and other forms of religious, ethnic, or racial intolerance in Europe.

**TITLE V—CONSULAR AUTHORITIES**

**SEC. 501. CODIFICATION OF ENHANCED CONSULAR IMMUNITIES.**

Section 4 of the Diplomatic Relations Act (22 U.S.C. 254c) is amended—

(1) by striking “The President” and inserting the following:

“(a) IN GENERAL.—The President”; and

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

“(b) CONSULAR IMMUNITY.—

“(1) IN GENERAL.—The Secretary of State, with the concurrence of the Attorney General, may, on the basis of reciprocity and under such terms and conditions as the Secretary may determine, specify privileges and immunities for a consular post, the members of a consular post, and their families which result in more favorable or less favorable treatment than is provided in the Vienna Convention on Consular Relations, of April 24, 1963 (T.I.A.S. 6820), entered into force for the United States on December 24, 1969.

“(2) CONSULTATION.—Before exercising the authority under paragraph (1), the Secretary of State shall consult with the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate regarding the circumstances that may warrant the need for privileges and immunities providing more favorable or less favorable treatment than is provided in the Vienna Convention.”

**SEC. 502. PASSPORTS MADE IN THE UNITED STATES.**

(a) **SENSE OF CONGRESS.**—It is the sense of Congress that all components of United States passports, including all passport security features, should be printed, manufactured, and assembled exclusively within the United States by United States companies and personnel, contractors, and subcontractors with appropriate security clearances.

(b) **BRIEFINGS.**—The Secretary, in coordination with the heads of other relevant Federal agencies, shall provide a briefing, which may be given in a classified environment if necessary, to the appropriate congressional committees that includes the following details:

(1) A list of all components of the United States passport made outside the United States.

(2) The costs of all components of the United States passports made outside the United States.

(3) Comparable costs to produce and procure in the United States the items identified in paragraphs (1) and (2).

**TITLE VI—WESTERN HEMISPHERE DRUG POLICY COMMISSION**

**SEC. 601. ESTABLISHMENT.**

There is established an independent commission to be known as the “Western Hemisphere Drug Policy Commission” (in this title referred to as the “Commission”).

**SEC. 602. DUTIES.**

(a) **REVIEW OF ILLICIT DRUG CONTROL POLICIES.**—The Commission shall conduct a comprehensive review of United States foreign policy in the Western Hemisphere to reduce the illicit drug supply and drug abuse and reduce the damage associated with illicit drug markets and trafficking. The Commission shall also identify policy and program options to improve existing international counternarcotics policy. The review shall include the following topics:

(1) An evaluation of United States-funded international illicit drug control programs in the Western Hemisphere, including drug interdiction, crop eradication, alternative development, drug production surveys, police and justice sector training, demand reduction, and strategies to target drug kingpins.

(2) An evaluation of the impact of United States counternarcotics assistance programs in the Western Hemisphere, including the Colombia Strategic Development Initiative, the Merida Initiative, the Caribbean Basin Security Initiative and the Central America Regional Security Initiative, in curbing drug production, drug trafficking, and drug-related violence and improving citizen security.

(3) An evaluation of how the President’s annual determination of major drug-transit and major illicit drug producing countries pursuant to section 706 of the Foreign Relations Authorization Act, Fiscal Year 2003 (22 U.S.C. 2291j-1) serves United States interests with respect to United States international illicit drug control policies.

(4) An evaluation of whether the proper indicators of success are being used to evaluate United States international illicit drug control policy.

(5) An evaluation of United States efforts to stop illicit proceeds from drug trafficking organizations from entering the United States financial system.

(6) An evaluation of the links between the illegal narcotics trade in the Western Hemisphere and terrorist activities around the world.

(7) An evaluation of United States efforts to combat narco-terrorism in the Western Hemisphere.

(8) An evaluation of the financing of foreign terrorist organizations by drug trafficking organizations and an evaluation of United States efforts to stop such activities.

(9) An evaluation of alternative drug policy models in the Western Hemisphere.

(10) An evaluation of the impact of local drug consumption in Latin America and the Caribbean in promoting violence and insecurity.

(11) Recommendations on how best to improve United States counternarcotics policies in the Western Hemisphere.

(b) **COORDINATION WITH GOVERNMENTS, INTERNATIONAL ORGANIZATIONS, AND NON-GOVERNMENTAL ORGANIZATIONS IN THE WESTERN HEMISPHERE.**—In conducting the review required under subsection (a), the Commission is encouraged to consult with—

(1) government, academic, and nongovernmental leaders, as well as leaders from international organizations, from throughout the

United States, Latin America, and the Caribbean; and

(2) the Inter-American Drug Abuse Control Commission (CICAD).

(c) REPORT.—

(1) IN GENERAL.—Not later than 18 months after the first meeting of the Commission, the Commission shall submit to the Committee on Foreign Affairs of the House of Representatives, the Committee on Foreign Relations of the Senate, the Secretary, and the Director of the Office of National Drug Control Policy a report that contains—

(A) a detailed statement of the recommendations, findings, and conclusions of the Commission under subsection (a); and

(B) summaries of the input and recommendations of the leaders and organizations with which the Commission consulted under subsection (b).

(2) PUBLIC AVAILABILITY.—The report required under this subsection shall be made available to the public.

#### SEC. 603. MEMBERSHIP.

(a) NUMBER AND APPOINTMENT.—The Commission shall be composed of ten members to be appointed as follows:

(1) The majority leader and minority leader of the Senate shall each appoint two members.

(2) The Speaker and the minority leader of the House of Representatives shall each appoint two members.

(3) The President shall appoint two members.

(b) PROHIBITION.—

(1) IN GENERAL.—The Commission may not include—

(A) Members of Congress; or

(B) Federal, State, or local government officials.

(2) MEMBER OF CONGRESS.—In this subsection, the term “Member of Congress” includes a Delegate or Resident Commissioner to the Congress.

(c) APPOINTMENT OF INITIAL MEMBERS.—The initial members of the Commission shall be appointed not later than 30 days after the date of the enactment of this Act.

(d) VACANCIES.—Any vacancies shall not affect the power and duties of the Commission, but shall be filled in the same manner as the original appointment. An appointment required by subsection (a) should be made within 90 days of a vacancy on the Commission.

(e) PERIOD OF APPOINTMENT.—Each member shall be appointed for the life of the Commission.

(f) INITIAL MEETING AND SELECTION OF CHAIRPERSON.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Commission shall hold an initial meeting to develop and implement a schedule for completion of the review and report required under section 362.

(2) CHAIRPERSON.—At the initial meeting, the Commission shall select a Chairperson from among its members.

(g) QUORUM.—Six members of the Commission shall constitute a quorum.

(h) COMPENSATION.—Members of the Commission—

(1) shall not be considered to be a Federal employee for any purpose by reason of service on the Commission; and

(2) shall serve without pay.

(i) TRAVEL EXPENSES.—Members shall receive travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code, while away from their homes or regular places of business in performance of services for the Commission.

#### SEC. 604. POWERS.

(a) MEETINGS.—The Commission shall meet at the call of the Chairperson or a majority of its members.

(b) HEARINGS.—The Commission may hold such hearings and undertake such other activities as the Commission determines necessary to carry out its duties.

(c) OTHER RESOURCES.—

(1) DOCUMENTS, STATISTICAL DATA, AND OTHER SUCH INFORMATION.—

(A) IN GENERAL.—The Library of Congress, the Office of National Drug Control Policy, the Department, and any other Federal department or agency shall, in accordance with the protection of classified information, provide reasonable access to documents, statistical data, and other such information the Commission determines necessary to carry out its duties.

(B) OBTAINING INFORMATION.—The Chairperson of the Commission shall request the head of an agency described in subparagraph (A) for access to documents, statistical data, or other such information described in such subparagraph that is under the control of such agency in writing when necessary.

(2) OFFICE SPACE AND ADMINISTRATIVE SUPPORT.—The Administrator of General Services shall make office space available for day-to-day activities of the Commission and for scheduled meetings of the Commission. Upon request, the Administrator shall provide, on a reimbursable basis, such administrative support as the Commission requests to fulfill its duties.

(d) AUTHORITY TO USE UNITED STATES MAILS.—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

(e) AUTHORITY TO CONTRACT.—

(1) IN GENERAL.—Subject to the Federal Property and Administrative Services Act of 1949, the Commission is authorized to enter into contracts with Federal and State agencies, private firms, institutions, and individuals for the conduct of activities necessary to the discharge of its duties under section 602.

(2) TERMINATION.—A contract, lease, or other legal agreement entered into by the Commission may not extend beyond the date of termination of the Commission.

#### SEC. 605. STAFF.

(a) DIRECTOR.—The Commission shall have a Director who shall be appointed by a majority vote of the Commission. The Director shall be paid at a rate not to exceed the rate of basic pay for level IV of the Executive Schedule.

(b) STAFF.—

(1) IN GENERAL.—With the approval of the Commission, the Director may appoint such personnel as the Director determines to be appropriate. Such personnel shall be paid at a rate not to exceed the rate of basic pay for level IV of the Executive Schedule.

(2) ADDITIONAL STAFF.—The Commission may appoint and fix the compensation of such other personnel as may be necessary to enable the Commission to carry out its duties, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that no rate of pay fixed under this subsection may exceed the equivalent of that payable to a person occupying a position at level V of the Executive Schedule.

(c) EXPERTS AND CONSULTANTS.—With the approval of the Commission, the Director may procure temporary and intermittent services under section 3109(b) of title 5, United States Code.

(d) DETAIL OF GOVERNMENT EMPLOYEES.—Upon the request of the Commission, the head of any Federal agency may detail, with-

out reimbursement, any of the personnel of such agency to the Commission to assist in carrying out the duties of the Commission. Any such detail shall not interrupt or otherwise affect the civil service status or privileges of the personnel.

(e) VOLUNTEER SERVICES.—Notwithstanding section 1342 of title 31, United States Code, the Commission may accept and use voluntary and uncompensated services as the Commission determines necessary.

#### SEC. 606. SUNSET.

The Commission shall terminate on the date that is 60 days after the date on which the Commission submits its report to Congress pursuant to section 602(c).

### TITLE VII—MISCELLANEOUS PROVISIONS

#### SEC. 701. FOREIGN RELATIONS EXCHANGE PROGRAMS.

(a) EXCHANGES AUTHORIZED.—Title I of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a et seq.) is amended by adding at the end the following new section:

#### “SEC. 63. FOREIGN RELATIONS EXCHANGE PROGRAMS.

“(a) AUTHORITY.—The Secretary may establish exchange programs under which officers or employees of the Department of State, including individuals appointed under title 5, United States Code, and members of the Foreign Service (as defined in section 103 of the Foreign Service Act of 1980 (22 U.S.C. 3903)), may be assigned, for not more than one year, to a position with any foreign government or international entity that permits an employee to be assigned to a position with the Department of State.

“(b) SALARY AND BENEFITS.—

“(1) MEMBERS OF FOREIGN SERVICE.—During a period in which a member of the Foreign Service is participating in an exchange program authorized pursuant to subsection (a), such member shall be entitled to the salary and benefits to which such member would receive but for the assignment under this section.

“(2) NON-FOREIGN SERVICE EMPLOYEES OF DEPARTMENT.—An employee of the Department of State other than a member of the Foreign Service participating in an exchange program authorized pursuant to subsection (a) shall be treated in all respects as if detailed to an international organization pursuant to section 3343(c) of title 5, United States Code.

“(3) FOREIGN PARTICIPANTS.—The salary and benefits of an employee of a foreign government or international entity participating in an exchange program authorized pursuant to subsection (a) shall be paid by such government or entity during the period in which such employee is participating in such program, and shall not be reimbursed by the Department of State.

“(c) NON-RECIPROCAL ASSIGNMENT.—The Secretary may authorize a non-reciprocal assignment of personnel pursuant to this section, with or without reimbursement from the foreign government or international entity for all or part of the salary and other expenses payable during such assignment, if such is in the interests of the United States.

“(d) RULE OF CONSTRUCTION.—Nothing in this section may be construed to authorize the appointment as an officer or employee of the United States of—

“(1) an individual whose allegiance is to any country, government, or foreign or international entity other than to the United States; or

“(2) an individual who has not met the requirements of sections 3331, 3332, 3333, and 7311 of title 5, United States Code, or any other provision of law concerning eligibility for appointment as, and continuation of employment as, an officer or employee of the United States.”.



**SEC. 702. UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY.**

(a) IN GENERAL.—Section 1334 of the Foreign Affairs Reform and Restructuring Act of 1998 (22 U.S.C. 6553) is amended by striking “October 1, 2015” and inserting “October 1, 2020”.

(b) RETROACTIVITY OF EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as of October 1, 2016. Any lapse in powers, authorities, or responsibilities of the United States Advisory Commission on Public Diplomacy from the period beginning on October 1, 2016, and ending on the date of the enactment of this Act, shall be deemed to have not so lapsed.

**SEC. 703. BROADCASTING BOARD OF GOVERNORS.**

(a) BROADCASTING TO ASIA.—Section 309 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6208) is amended—

(1) in subsection (a)(1), by striking “the following countries” and all that follows through the period at the end and inserting “Asia.”; and

(2) in subsection (b)(1), by striking “the respective countries of”.

(b) PROHIBITIONS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, any change to the Federal status of—

(A) the Cuba Service established pursuant to section 4 of the Radio Broadcasting to Cuba Act (22 U.S.C. 1465b; Public Law 98-111) is prohibited unless such section is explicitly repealed and such service is dissolved by an Act of Congress enacted on or after the date of the enactment of this Act; and

(B) the Television Marti Service established by section 244(a) of Television Broadcasting to Cuba Act (22 U.S.C. 1465c; Public Law 101-246) is prohibited unless such section is explicitly repealed and such service is dissolved by an Act of Congress enacted on or after the date of the enactment of this Act.

(2) DEFINITION.—In this subsection, the term “change to the Federal status”, with respect to a service referred to in subparagraph (A) or (B) of paragraph (1), includes any significant restructuring, privatization, subordination to a private or private-public entity, or merger with a private or public-private entity of such service.

(c) SENSE OF CONGRESS.—It is the sense of Congress that the Broadcasting Board of Governors should start broadcasting in the Sindhi language.

**SEC. 704. REWARDS FOR JUSTICE.**

(a) REWARDS AUTHORIZED.—

(1) IN GENERAL.—Section 36(b) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2708(b)) is amended in paragraphs (4) and (5) by striking “or (9)” each place it appears and inserting “(9), or (10)”.

(2) REPORTS; DEFINITIONS.—Section 36 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2708) is amended—

(A) in subsection (g), by adding at the end the following new paragraph:

“(4) REPORTS ON REWARDS AUTHORIZED.—Not less than 15 days after a reward is authorized under this section, the Secretary of State shall submit to the appropriate congressional committees a report, which may be submitted in classified form if necessary to protect intelligence sources and methods, detailing information about the reward, including the identity of the individual for whom the reward is being made, the amount of the reward, the acts with respect to which the reward is being made, and how the reward is being publicized.”; and

(B) in subsection (k)(2), by striking “International Relations” and inserting “Foreign Affairs”.

(3) EFFECTIVE DATE.—The amendments made by paragraphs (1) and (2) take effect on

the date of the enactment of this Act and apply with respect to any reward authorized under section 36 of the State Department Basic Authorities Act of 1956 (as so amended) on or after such date.

(b) EXTRADITIONS.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that the refusal by other countries to extradite or otherwise render to the United States fugitives who have been indicted or convicted within the United States for serious crimes, including murder, hijacking, and acts of domestic terrorism, is an impediment to justice, undermines international security, and deserves high level diplomatic efforts toward resolution.

(2) BRIEFING REQUIREMENT.—Not later than 90 days after the date of the enactment of this Act, the President shall provide to Congress a briefing related to the issues raised in paragraph (1), including—

(A) the number of fugitives and others for whom the United States Government is seeking extradition or rendition, both in total and listed by country;

(B) the average length of time such extradition or rendition requests have been outstanding, both in general and by country;

(C) discussion of diplomatic and other efforts the United States has undertaken to secure the return of such fugitives;

(D) discussion of factors that have been barriers to the resolution of such cases; and

(E) information on the number of United States citizens whose extradition has been sought by foreign governments during the past five years, both in total and listed by country, and a discussion of the outcome of such requests.

**SEC. 705. EXTENSION OF PERIOD FOR REIMBURSEMENT OF SEIZED COMMERCIAL FISHERMEN.**

Subsection (e) of section 7 of the Fishermen’s Protective Act of 1967 (22 U.S.C. 1977) is amended by striking “2008” and inserting “2018”.

**SEC. 706. EXPANSION OF THE CHARLES B. RANGEL INTERNATIONAL AFFAIRS PROGRAM, THE THOMAS R. PICKERING FOREIGN AFFAIRS FELLOWSHIP PROGRAM, AND THE DONALD M. PAYNE INTERNATIONAL DEVELOPMENT FELLOWSHIP PROGRAM.**

(a) ADDITIONAL FELLOWSHIPS AUTHORIZED.—Beginning in fiscal year 2017, the Secretary shall—

(1) increase by ten the number of fellows selected for the Charles B. Rangel International Affairs Program;

(2) increase by ten the number of fellows selected for the Thomas R. Pickering Foreign Affairs Fellowship Program; and

(3) increase by five the number of fellows selected for the Donald M. Payne International Development Fellowship Program.

(b) RULE OF CONSTRUCTION.—Nothing in this section may be construed as authorizing the hiring of additional personnel at the Department beyond existing, projected hiring patterns.

**SEC. 707. GAO REPORT ON DEPARTMENT CRITICAL TELECOMMUNICATIONS EQUIPMENT OR SERVICES OBTAINED FROM SUPPLIERS CLOSELY LINKED TO A LEADING CYBER-THREAT ACTOR.**

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on any critical telecommunications equipment, technologies, or services obtained or used by the Department or its contractors or subcontractors that is—

(1) manufactured by a foreign supplier, or a contractor or subcontractor of such supplier, that is closely linked to a leading cyber-threat actor; or

(2) from an entity that incorporates or utilizes information technology manufactured

by a foreign supplier, or a contractor or subcontractor of such supplier, that is closely linked to a leading cyber-threat actor.

(b) FORM.—The report shall be submitted in unclassified form, but may include a classified annex.

(c) DEFINITIONS.—In this section:

(1) LEADING CYBER-THREAT ACTOR.—The term “leading cyber-threat actor” means a country identified as a leading threat actor in cyberspace in the report entitled “Worldwide Threat Assessment of the US Intelligence Community”, dated February 9, 2016.

(2) CLOSELY LINKED.—The term “closely linked”, with respect to a foreign supplier, contractor, or subcontractor and a leading cyber-threat actor, means the foreign supplier, contractor, or subcontractor—

(A) has ties to the military forces of such actor;

(B) has ties to the intelligence services of such actor;

(C) is the beneficiary of significant low interest or no-interest loans, loan forgiveness, or other support of such actor; or

(D) is incorporated or headquartered in the territory of such actor.

**SEC. 708. IMPLEMENTATION PLAN FOR INFORMATION TECHNOLOGY AND KNOWLEDGE MANAGEMENT.**

Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees an implementation plan, including timelines and resources, required to—

(1) establish a hub for analytics, data science, strategy, and knowledge management at the Department; and

(2) migrate suitable information technology (as such term is defined in section 11101(6) of title 40 United States Code) to a cloud computing service or a cloud-based solution.

**SEC. 709. RANSOMS TO FOREIGN TERRORIST ORGANIZATIONS.**

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the President, in consultation with the Secretary, shall transmit to the appropriate congressional committees a report covering the previous calendar providing the following details:

(1) Which foreign governments are believed to have facilitated, directly or indirectly, the payment of ransoms.

(2) Which foreign terrorist organizations received payments from foreign governments identified in paragraph (1).

(3) The amount of each such payment.

(4) The means of delivering such payments.

(5) A summary of the efforts of the United States to counter such payments.

(6) Recommendations for improving coordination among the foreign allies of the United States to not pay ransoms.

(b) FORM.—The report required by subsection (a) shall be submitted in unclassified form, may include a classified annex, shall be made available to the public by posting the unclassified form of such report on the website of the Department, and may be included in any other report that is required to be made public.

**SEC. 710. STRATEGY TO COMBAT TERRORIST USE OF SOCIAL MEDIA.**

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the President shall transmit to the appropriate congressional committees a report on United States strategy to combat terrorists’ and terrorist organizations’ use of social media consistent with the President’s 2011 “Strategic Implementation Plan for Empowering Local Partners to Prevent Violent Extremism in the United States”.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) An evaluation of what role social media plays in radicalization in the United States and elsewhere.

(2) An analysis of how terrorists and terrorist organizations are using social media, including trends.

(3) A summary of the Federal Government's efforts to disrupt and counter the use of social media by terrorists and terrorist organizations, an evaluation of the success of such efforts, and recommendations for improvement.

(4) An analysis of how social media is being used for counter-radicalization and counter-propaganda purposes, irrespective of whether or not such efforts are made by the Federal Government.

(5) An assessment of the value to law enforcement of social media posts by terrorists and terrorist organizations.

(6) An overview of social media training available to law enforcement and intelligence personnel that enables such personnel to understand and combat the use of social media by terrorists and terrorist organizations, as well as recommendations for improving or expanding existing training opportunities.

(c) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex in accordance with the protection of intelligence sources and methods.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Foreign Affairs, the Committee on the Armed Services, the Committee on Homeland Security, the Committee on the Judiciary, and the Permanent Select Committee on Intelligence of the House of Representatives; and

(2) the Committee on Foreign Relations, the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, the Committee on the Judiciary, and the Select Committee on Intelligence of the Senate.

**SEC. 711. REPORT ON DEPARTMENT INFORMATION TECHNOLOGY ACQUISITION PRACTICES.**

(a) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report detailing the Department's information technology acquisition practices.

(b) ELEMENTS OF REPORT.—The report required under subsection (a) shall include the following elements:

(1) Agency chief investment officer authority enhancements, including reporting on incremental developments regarding whether information technology investments are delivering functionality every six months.

(2) Enhanced transparency and risk management, including the methodology for calculating risk.

(3) The frequency and status of agency-wide portfolio reviews to identify opportunities for information technology efficiency, effectiveness, duplication, and potential savings.

(4) Data center consolidation and optimization, including potential savings.

**SEC. 712. PUBLIC AVAILABILITY OF REPORTS ON NOMINEES TO BE CHIEFS OF MISSION.**

Not later than seven days after submitting the report required under section 304(a)(4) of the Foreign Service Act of 1980 (22 U.S.C. 3944(a)(4)) to the Committee on Foreign Relations of the Senate, the President shall make the report available to the public, including by posting the report on the website of the Department in a conspicuous manner and location.

**SEC. 713. RECRUITMENT AND RETENTION OF INDIVIDUALS WHO HAVE LIVED, WORKED, OR STUDIED IN PREDOMINANTLY MUSLIM COUNTRIES OR COMMUNITIES.**

(a) FINDINGS.—Congress finds that successful engagement, including robust public diplomacy, with predominantly Muslim countries and communities is critical for achieving United States foreign policy objectives.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Department should recruit more employees that have a personal background in, and thorough understanding of, the cultures, languages, and history of the Middle East and wider Muslim world.

(c) RECRUITMENT AND RETENTION OF CERTAIN INDIVIDUALS.—The Secretary shall make every effort to recruit and retain individuals that have lived, worked, or studied in predominantly Muslim countries or communities, including individuals who have studied at an Islamic institution of higher learning.

**SEC. 714. SENSE OF CONGRESS REGARDING COVERAGE OF APPROPRIATE THERAPIES FOR DEPENDENTS WITH AUTISM SPECTRUM DISORDER (ASD).**

(a) FINDING.—Congress finds that physical, occupational, speech, and applied behavioral analysis (ABA) therapies are evidenced-based interventions proven to bring about positive change and assist in the long term development of children with autism spectrum disorder (ASD).

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary should endeavor to ensure coverage and access, for dependents with ASD of overseas employees, to the therapies described in subsection (a), including through telehealth, computer software programs, or alternative means if appropriate providers are not accessible due to such employees' placement overseas.

**SEC. 715. REPEAL OF OBSOLETE REPORTS.**

(a) REPEAL OF CERTAIN REPORTING REQUIREMENTS.—The following provisions of law are repealed:

(1) Section 12 of the Foreign Service Buildings Act, 1926 (Act of May 7, 1926, 22 U.S.C. 303).

(2) Section 404 of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (Public Law 102-138, 22 U.S.C. 2778 note).

(b) OTHER REPORTING REFORM.—

(1) Section 613 of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107-228, 22 U.S.C. 6901 note) is amended—

(A) by striking subsection (b);

(B) by striking “(a) POLICY.—”; and

(C) by redesignating paragraphs (1) and (2) as subsections (a) and (b), respectively, and moving such subsections, as so redesignated, two ems to the left.

(2) Section 721 of Appendix G of the Consolidated Appropriations Act of 2000 (Public Law 106-113, 22 U.S.C. 287 note) is amended—

(A) by striking subsection (c); and

(B) by redesignating subsection (d) as subsection (c).

(3) Section 10 of the Palestinian Anti-Terrorism Act of 2006 (Public Law 109-446, 22 U.S.C. 2378b note) is amended—

(A) by striking subsection (b); and

(B) by redesignating subsection (c) as subsection (b).

(4) Section 1207 of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107-314, 22 U.S.C. 6901 note) is amended—

(A) by striking subsection (d); and

(B) by redesignating subsection (e) as subsection (d).

(5) Subsection (c) of section 601 of the Foreign Service Act of 1980 (22 U.S.C. 4001) is amended by striking paragraphs (4) and (5).

**SEC. 716. PROHIBITION ON ADDITIONAL FUNDING.**

No additional funds are authorized to be appropriated to carry out this Act and the amendments made by this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentleman from New York (Mr. ENGEL) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, I would like to thank the ranking member of this committee, Mr. ELIOT ENGEL, for his work on this important piece of legislation to protect U.S. personnel overseas, to improve the oversight of the Department of State, and to modernize its workforce. And I would also like to thank the other members of the committee for their input as well on this legislation.

The world is not getting any easier for the men and women serving overseas who represent this country at the Department of State. These men and women work with many other agencies, including the Defense Department. They have got a wide range of very important responsibilities.

They try to broker peace agreements. And, of course, not everybody wants peace in these agreements. They have to fight human trafficking. In other words, they have got to stand up to the criminal syndicates in some of these countries. They have got to help our fellow Americans in distress. That is just to name a few of the dangerous tasks that they undertake. They work hard, often in very challenging, even life-threatening circumstances, so they deserve our support, which includes reforming a department that sorely needs to modernize.

Mr. Speaker, the annual authorization of the Department of State is critical to maintaining congressional oversight and making these needed agency reforms. The House has passed an authorization bill in each of the last six Congresses, but, unfortunately, it has been 15 years since this legislation was signed into law. This year, we have an opportunity to break that unfortunate streak, which makes this legislation all the more important.

First and foremost, the bill includes a number of critical embassy security reforms and improvements. For example, the Department will be authorized to use so-called best value criteria when contracting for local guards at U.S. facilities overseas. This is an important change.

This authority has consistently been requested by the professionals overseeing the security at our embassies and has been a particular focus of two members of the committee. So I would like to thank LOIS FRANKEL and RANDY WEBER for their work.

The bill requires the State Department to designate a list of high-risk, high-threat posts, effectively prioritizing the resources and the security for these posts. Now, these are the posts most at risk. The State Department and Defense Department are directed to jointly develop enhanced contingency plans. Why? Because there are going to be surprises overseas. There are going to be emergency situations, including planning for the rapid deployment of military resources to keep our personnel safe in a time of crisis.

It includes provisions that improve security for the children and the families of U.S. diplomats abroad. And it makes sure that security failures, due to misconduct or due to unsatisfactory performance, are identified and those responsible are held accountable, something that did not happen when it came to the Islamist terrorist attack in Benghazi. No one lost a day of pay as a consequence of the mistakes made there.

The bill increases accountability also for sexual exploitation and abuse by U.N. peacekeepers, which the Foreign Affairs Committee has helped expose through the hearings by Chairman CHRIS SMITH.

It also increases transparency for how U.S. funds are spent at the United Nations and mandates that the Department work to increase the number of American citizens employed by the United Nations. This has been a focus of Mr. MO BROOKS.

We have also included important provisions to bolster the State Department's inspector general, an office that the Foreign Affairs Committee successfully fought to have filled after it sat vacant for 5 years.

And lastly, the bill increases flexibility in the Department's workforce, allowing civil servants more opportunities to serve overseas and authorizing a pilot program to acquire skilled workers from the private sector.

The passage of this legislation, S. 1635, would strengthen the law. It is a bipartisan bill, it improves congressional oversight of the Department, and I think it deserves unanimous support.

I reserve the balance of my time.

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

I rise in support of this bill.

Mr. Speaker, let me start by thanking my friend and the chairman of the Foreign Affairs Committee, Ed ROYCE of California. He and I and our staffs have been working on this bill for most of the 114th Congress. This may be the last Foreign Affairs bill the House will deal with this year, and it is an appropriate capstone for the committee's work.

Authorizing and overseeing the State Department is one of our committee's most important responsibilities. As the Obama administration comes to an end and we deal with the uncertainties of a transition in power, it is important that Congress help to set the tone for the future of our foreign policy. We need to do all we can to ensure the future of America's leadership role in the world.

□ 1745

This bill is also long, long overdue as the chairman pointed out. The last time the President signed a State Department authorization was in the year 2002. So much has changed since then—from the invasion of Iraq and the subsequent rise of ISIS to the ascendance of the Asia-Pacific in our foreign policy to the growing threat of climate change.

Think about the way terrorist groups use social media to recruit fighters and spread propaganda. This has become a major foreign policy concern; yet the last time we passed the State Department authorization, Twitter and Facebook were still a few years from coming online. Imagine that. That is just one example. In nearly 15 years, countless issues have cropped up as new foreign policy concerns, and traditional areas of diplomacy and development have evolved. This bill will help the State Department keep pace with the changes.

I would like to underscore a few provisions in this bill that I think are especially important. The main thing I want to talk about is the heart and soul of American diplomacy: our diplomats. Our diplomats are at the core of this bill. We want them to have the tools and resources for success.

These men and women pursue a path of public service unlike any other, going to work—sometimes in dangerous places—as America's face to the world. Diplomats are our front line of international engagement, advancing our interests and building bridges of friendship and understanding. This is incredibly important work. It requires the right people for the job—people with the skill, training, and confidence to carry out their work.

We need to do all we can to enable our diplomats to carry out diplomacy. They need to be able to get out from behind a desk and engage directly with cultures and communities, from government officials to civil society groups to everyday people on the street; so we have included provisions in this bill that are focused on the security of our Embassies and on the proper training of our personnel.

We need the best possible security for our Embassies and diplomats abroad, and good security doesn't always come cheap. This bill says that, when the State Department hires local personnel to protect our diplomatic facilities and staff, they shouldn't be constrained only to take the lowest cost bid. After all, the rule is generally true that you

get what you pay for, and when it comes to the safety of our diplomats, we should be focused on quality in addition to cost; so we have included a provision that calls for the best value security rather than the lowest cost. There is a lot of value in keeping our diplomats safe, and I want to thank representative LOIS FRANKEL for her work on this provision.

With this bill, we have also focused on improving the security of what we call "soft targets," not typical diplomatic facilities, but things like schools and schoolbuses for the children of diplomats abroad.

It is also important that the State Department reflect who we are as a country. America is made up of people from all different backgrounds and perspectives. Our diversity is one of our strengths. Our Foreign Service should benefit from that strength and reflect it back to the world.

We also need to incorporate that strength into our foreign policy. A diverse workforce means a diversity of views and experiences to aid our leaders when they face tough decisions. Old ways of thinking and worn-out approaches aren't well suited to the modern range of challenges our diplomats face. This bill will push the Department to recruit, train, and retain a diverse workforce. Reports tell us that the State Department has been slow to change in these areas, so we want to give those efforts a shot in the arm.

Additionally, I thank Chairman ROYCE for including my Western Hemisphere Drug Policy Commission legislation in this bill. The heroin epidemic in this country is getting worse and worse. We need to make sure that our drug policy is focused on saving lives. Here at home, that means doing more on prevention and treatment. Looking abroad, we need to take stock of what has worked and what hasn't when it comes to our drug policy in Latin America and the Caribbean. That is what this commission will do, and I am grateful this measure is moving forward.

That idea, taking stock of our successes and failures, brings me to a few final thoughts on this bill. Even though Congress has a role in foreign policy, we are outside the day-to-day decisionmaking structures. That outside perspective gives us a chance to step back and ask: What can we be doing better? Where can we cut away dead wood? What changes going on in the world require us to change our approach?

Our State Department personnel may have great new ideas about the way to advance our interests, but they are constrained by existing law or are bogged down in the constant hard work demanded of them. Let's be honest. By their nature, bureaucracies tend not to change on their own. That is when Congress needs to step in and say: "We can help to solve this problem. We can make it easier for our diplomats to do their jobs." The thing is that we have

to actually do that. We should try to pass a bill like this every year. It should become the way we do business, just like the defense authorization, because when we don't, we are letting our diplomats down; we are also ceding their work to other jurisdictions, and we are missing opportunities to bolster American diplomacy and national security.

Last week, we voted on the Defense Authorization Act. It included 80 provisions that fell, at least in part, under the jurisdiction of the Foreign Affairs Committee when it landed on the President's desk. I respect our friends on the Armed Services Committee a great deal, but I hear their message loud and clear, that if we don't act in our own jurisdiction, someone else will.

I am encouraged that we have made it this far on this bill. I hope it becomes a regular part of our committee's work and that, a year from now, we are back here debating more good ideas about improving American diplomacy. For now, I again thank the chairman. I am glad to support this bill, and I urge all my colleagues to do the same.

I reserve the balance of my time.

Mr. ROYCE. Mr. Speaker, I yield 4 minutes to the gentleman from New Jersey (Mr. SMITH). He is the chairman of the Foreign Affairs Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations.

Mr. SMITH of New Jersey. I thank my good friend, the distinguished chairman of the Foreign Affairs Committee, Mr. ROYCE, for his leadership on this important bill. I thank ELIOT ENGEL, the ranking member, and, of course, Senators CORKER and CARDIN. This is a true bipartisan piece of legislation. I thank my colleagues for their leadership on this.

Mr. Speaker, a highly skilled group of Foreign Service Officers—about 15,000 strong—are deployed worldwide to promote peace and human rights, to support prosperity, and to protect Americans while advancing the vital interests of the United States abroad. For most, posting overseas requires serious personal sacrifice. For some, deployment entails serious danger—from disease, crime, and terrorism.

Mr. Speaker, after the American Embassies in Dar es Salaam and Nairobi were attacked by terrorists in August of 1998, I chaired hearings on Embassy security in my subcommittee and authored the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act of 2000 and 2001 to significantly boost Embassy security, including reconfigured Embassies, setbacks—a zone that puts the street farther away from the building—and additional diplomatic security personnel. The bill, dubbed the “Embassy Security Act,” which passed the House in 1999, never even got a vote in the Senate; but after much lobbying, my bill was included in its entirety in the FY 2000 appropriations omnibus. In 2005,

Congress enacted into law another bill I sponsored, the Department of State Authorities Act, which, among other things, boosted danger pay.

Today, the Royce-Corker-Engel-Cardin bill authorizes \$4.8 billion for Embassy security. It continues the all-important work of ensuring the most effective security possible for our Foreign Service and Americans abroad by directing joint DOD-State contingency plans—including the rapid deployment of Armed Forces—the designation of high-risk, high-threat posts with adequate funding and training commensurate with the danger, and the utilization of “best value” contracting.

The bill provides numerous enhancements of personnel issues for our men and women in the Foreign Service—from promotion opportunities to updated cost-of-living adjustments to improved care of Foreign Service officers' children-dependents with autism spectrum disorders.

During markup—and I thank the chair for being so gracious for supporting it—I sponsored an amendment that was approved that recognizes applied behavior analysis, or ABA, as proven evidence-based intervention for autistic children and that the Secretary of State should ensure that coverage of and access to ABA for dependents with ASD of overseas employees is provided.

I travel all over the world, and I often hear from Foreign Service Officers who cannot get ABA treatment for their children. They are anguished because, if they try to go to a deployment where that is provided, it may hinder their Foreign Service careers; and, of course, they put their children first. That shouldn't be the case. There should be no choice. The children need to be supported as well as the Foreign Service Officers.

The House Foreign Affairs Committee also adopted another amendment I offered during markup, which is whistleblower protections for U.N. personnel—we have had hearings on that in our subcommittee—the capacity to investigate allegations of sexual exploitation committed by peacekeepers and to hold those who commit such heinous crimes accountable.

Mr. Speaker, I have traveled to places like Goma, in the DRC, where peacekeepers were raping 13-year-olds—U.N. peacekeepers. The series of hearings that we held on it found that the zero tolerance policy of the U.N. was really zero compliance. That has to improve. There have been some improvements made but far fewer than what are required. This legislation helps to push that ball significantly down that lane. Hopefully, the peacekeepers will do just that—protect. It is a duty for us to make sure that that happens. There are many other good things in this bill.

Again, I thank Chairman ROYCE for his leadership.

Mr. ROYCE. Mr. Speaker, in reclaiming my time, I thank CHRIS SMITH for

his years of oversight and for his combating that type of abuse. I also thank him for our efforts to have this included now in what will become a new law.

I reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. CONNOLLY), my good friend and colleague on the Foreign Affairs Committee.

Mr. CONNOLLY. I thank the gentleman from New York (Mr. ENGEL), my dear friend and the distinguished ranking member of the House Foreign Affairs Committee.

I rise today in support of S. 1635, the Department of State Authorities Act. There is an expression in Latin. I studied Latin for 6 years, but I rarely get to use it. It is *mirabile dictu*—wonderful to relate—that we are actually going to pass the State Department authorization bill.

The bill is not perfect, and it is not as comprehensive as one would hope; however, it is a product of compromise under the fine leadership of ED ROYCE and ELIOT ENGEL. It is a welcome step toward the annual authorization of the State Department operations I know we will get to next year. The regular enactment of a State Department authorization is a long-neglected priority, and the clarity of our diplomacy and development missions have suffered absent one. Congress has not enacted a full State authorization bill since 2002.

In a similar vein, the Foreign Assistance Act has not undergone a comprehensive reauthorization since 1985, when I was a staff member on the Senate Foreign Relations Committee. I have introduced the Global Partnerships Act, which would do just that, and I have tried to streamline and modernize the Foreign Assistance Act of 1961.

The bill on the floor today codifies high standards for Embassy security practices and ensures that we are making smart investments in diplomatic security. It also fights discrimination and promotes diversity within the Foreign Service.

I thank the committee—and particularly our leaders, Chairman ROYCE and Ranking Member ENGEL—for including my amendment that requires the State Department to report on its compliance with the Federal Information Technology Acquisition Reform Act, FITARA, which is the Federal IT reform bill I introduced and wrote with Mr. ISSA.

I support this bill because it enables the kind of serious, credible, and ambitious diplomacy that can solve the world's most intractable challenges, and I urge my colleagues to give it their full support.

Again, I congratulate our staffs—and particularly our chairman and ranking member, Mr. ROYCE and Mr. ENGEL, respectively—for their leadership in bringing this bill before us today.

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

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

I am waiting for one other speaker; so, while we are waiting, let me at least partially close.

I, first of all, thank Chairman ROYCE's staff for their hard work on this very important bill. I thank Tom Sheehy, Ed Burrier, Tom Hill, and Doug Anderson, and on my staff, Jason Steinbaum, Doug Campbell, Eric Jacobstein, Janice Kaguyutan, Sajit Gandhi, Jennifer Hendrixson White, and Mark Iozzi. We can only do as well as the wonderful staff that we have, and it is really appreciated, I know, by Chairman ROYCE and by me.

As was said before, Mr. Speaker, every single year, Congress passes a defense authorization. It happens without fail, and it should. It is a vitally important piece of legislation, and we have an obligation to give our women and men in uniform the support and the resources they need.

□ 1800

The work of our diplomats is very different, but it is also critical to our national security. These dedicated public servants help to project stability, enhance security, and diffuse crises before they start.

From a dollars-and-cents perspective, it makes a lot more sense to prevent crises than to try to stop them after they are burning out of control. We need diplomacy to succeed so that using our military remains the last resort in our foreign policy. This legislation will help ensure that our diplomacy does succeed.

I hope this bill gets across the finish line soon; I hope the Senate does its job; and I hope we make a State Department authorization a yearly priority for the Foreign Affairs Committee, for the Congress, and for the American people.

I urge a "yes" vote on this bill.

I yield back the balance of my time.

Mr. ROYCE. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. Mr. Speaker, I am a big fan of Chairman ROYCE's work, and I appreciate all the work of the committee in these difficult areas.

Sometimes in trying to bring together a big authorization bill like this, language gets inserted that can be problematic. On page 105, for example, section 713, "Recruitment and retention of individuals who have lived, worked, or studied in predominantly Muslim countries or communities," we know that one of our problems when we were trying to deal with radical Islam is, number one, our President doesn't recognize radical Islam, although some of the best experts who are radical Islamists say, yes, it exists, and Muslim friends like President el-Sisi acknowledge it is a problem.

For example, here in subsection C, it says: "The Secretary shall make every effort to recruit and retain individuals that have lived, worked, or studied in

predominantly Muslim countries or communities, including individuals who have studied at Islamic institutions of higher learning."

I know this was not submitted by a Muslim—far from it—but although we desperately need people who have lived and studied in this area, to tell the Secretary of State that the Secretary shall make every effort to get people like this is the way our enemies take advantage of us. We should not be telling the Secretary to make every effort.

As a former chief justice, that is the kind of thing—you have to say, well, he didn't make every effort or she didn't make every effort. We should not be coercing the State Department to hire people who—if they are not appropriate or have Muslim ties, they should not be pushed into the State Department.

Mr. ROYCE. Mr. Speaker, let me say in response that we should hire, in the State Department, people who do have some experience. We should have some people there with some experience with Muslim culture and Muslim countries, with that kind of a background. But that said, we want to work with the gentleman from Texas (Mr. GOHMERT) on implementation of this bill to make certain that these concerns are handled.

Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida (Ms. FRANKEL).

Ms. FRANKEL of Florida. Mr. Speaker, I thank Chairman ROYCE and Ranking Member ENGEL, first, for the great bipartisan work. I really appreciate being on this committee.

I want to tell you a story that one of our Ambassadors told me that I thought was amazing. I won't say her name or where she was, but she told me she was overseas. The security that they hired was so poor that they actually had to hire criminals; and her security guard not only robbed her and her family, but killed their dog. That is just an example of some of the quality of security that we had for our Ambassadors, who deserve absolutely our utmost protection.

So I just want to thank both the chairman and the ranking member for working with me to get this provision in this bill that now is going to let our State Department get well-qualified security for Embassies, which they deserve to have.

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

I want to thank the gentlewoman from Florida for her contribution to this legislation.

Mr. Speaker, as chairman, I also want to thank our ranking member, Mr. ENGEL. I want to thank all my committee colleagues for their contributions to this bill. I think we should take the opportunity to thank our counterparts, Senator CORKER and Senator CARDIN, in the Senate for working with us to bring the first State authorization bill to the President's desk in over 15 years.

Today, the Department is considering how to deploy diplomats in high-

threat, high-risk places like South Sudan, like the Central African Republic, Yemen, Libya. It is our responsibility to make sure that U.S. personnel at these posts have every available means of protection, and this bill authorizes the Department to make critical upgrades in Embassy security.

This bill also mandates that the Department uses leverage at the United Nations to make improvements that have been ignored for too long. In just the last year, we have heard horrific stories of peacekeepers sexually abusing and exploiting those they are sent to protect. Sadly, these are not the first instances of such predatory behavior, but the United Nations has failed to take steps to stop it.

Oversight is necessary at any agency. It took 5 years for the Department's inspector general position to be filled, and this bill makes sure that the Department's watchdog has all the tools it needs to perform its mandate.

This bill deserves our support. The other body should move quickly so that these critical reforms can be signed into law by the President.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, S. 1635, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

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

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 6 o'clock and 8 minutes p.m.), the House stood in recess.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HARDY) at 6 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 5015, by the yeas and nays;

H.R. 6427, by the yeas and nays;

S. 1635, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

**COMBAT-INJURED VETERANS TAX FAIRNESS ACT OF 2016**

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 5015) to restore amounts improperly withheld for tax purposes from severance payments to individuals who retired or separated from service in the Armed Forces for combat-related injuries, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. BRADY) that the House suspend the rules and pass the bill, as amended.

The vote was taken by electronic device, and there were—yeas 392, nays 0, not voting 41, as follows:

[Roll No. 601]

YEAS—392

Abraham	Clyburn	Foster
Adams	Coffman	Fox
Aderholt	Cohen	Frankel (FL)
Aguilar	Cole	Franks (AZ)
Allen	Collins (GA)	Frelinghuysen
Amash	Collins (NY)	Fudge
Amodei	Comer	Gabbard
Ashford	Comstock	Galleo
Babin	Conaway	Garamendi
Barletta	Connolly	Garrett
Barr	Conyers	Gibbs
Barton	Cook	Gibson
Bass	Cooper	Gohmert
Beatty	Costa	Goodlatte
Benishek	Costello (PA)	Gosar
Bera	Courtney	Gowdy
Beyer	Cramer	Graham
Bilirakis	Crawford	Granger
Bishop (GA)	Crenshaw	Graves (GA)
Bishop (MI)	Crowley	Graves (LA)
Bishop (UT)	Cuellar	Graves (MO)
Black	Culberson	Grayson
Blackburn	Cummings	Green, Al
Blum	Curbelo (FL)	Green, Gene
Blumenauer	Davidson	Griffith
Bonamici	Davis (CA)	Grijalva
Bost	Davis, Danny	Grothman
Boustany	Davis, Rodney	Guinta
Boyle, Brendan	DeFazio	Guthrie
F.	DeGette	Gutiérrez
Brady (PA)	Delaney	Hanabusa
Brady (TX)	DeLauro	Hardy
Brat	Denham	Harper
Brooks (AL)	Dent	Hartzler
Brooks (IN)	DeSantis	Hastings
Brownley (CA)	DeSaulnier	Heck (NV)
Buchanan	DesJarlais	Heck (WA)
Buck	Deutch	Hensarling
Bucshon	Diaz-Balart	Herrera Beutler
Burgess	Dingell	Higgins
Bustos	Doggett	Hill
Butterfield	Dold	Himes
Byrne	Donovan	Hinojosa
Calvert	Doyle, Michael	Holding
Capps	F.	Hoyer
Capuano	Duckworth	Hudson
Cárdenas	Duncan (SC)	Huelskamp
Carson (IN)	Duncan (TN)	Huffman
Carter (GA)	Ellison	Huizenga (MI)
Carter (TX)	Emmer (MN)	Hultgren
Cartwright	Engel	Hurd (TX)
Castor (FL)	Eshoo	Israel
Castro (TX)	Esty	Issa
Chabot	Evans	Jackson Lee
Chaffetz	Farenthold	Jeffries
Cicilline	Fitzpatrick	Jenkins (KS)
Clark (MA)	Fleischmann	Jenkins (WV)
Clarke (NY)	Fleming	Johnson (GA)
Clay	Flores	Johnson (OH)
Cleaver	Fortenberry	Johnson, E. B.

Johnson, Sam	Moore	Scott, Austin
Jones	Moulton	Scott, David
Jordan	Mullin	Sensenbrenner
Joyce	Murphy (FL)	Serrano
Kaptur	Murphy (PA)	Sessions
Katko	Nadler	Sewell (AL)
Keating	Neal	Sherman
Kelly (IL)	Neugebauer	Shimkus
Kelly (MS)	Noem	Shuster
Kelly (PA)	Nolan	Simpson
Kennedy	Norcross	Sinema
Kind	Nugent	Sires
King (IA)	Nunes	Slaughter
King (NY)	O'Rourke	Smith (MO)
Kinzinger (IL)	Olson	Smith (NE)
Kline	Palazzo	Smith (NJ)
Knight	Pallone	Smith (TX)
Kuster	Palmer	Smith (WA)
Labrador	Pascrell	Speier
LaHood	Paulsen	Stefanik
Lamborn	Payne	Stewart
Lance	Pearce	Stivers
Langevin	Pelosi	Swalwell (CA)
Larsen (WA)	Perlmutter	Takano
Larson (CT)	Perry	Thompson (CA)
Latta	Peters	Thompson (MS)
Lawrence	Peterson	Thompson (PA)
Levin	Pingree	Thornberry
Lewis	Pittenger	Tiberi
Lieu, Ted	Pitts	Tipton
Lipinski	Pocan	Titus
LoBiondo	Poliquin	Tonko
Loeb sack	Polis	Torres
Lofgren	Pompeo	Trott
Long	Posey	Tsongas
Loudermilk	Price (NC)	Turner
Love	Price, Tom	Upton
Lowenthal	Quigley	Valadao
Lowey	Rangel	Van Hollen
Lucas	Ratcliffe	Vargas
Luetkemeyer	Reed	Veasey
Lujan Grisham	Renacci	Vela
(NM)	Ribble	Velázquez
Luján, Ben Ray	Rice (NY)	Visclosky
(NM)	Rice (SC)	Wagner
Lummis	Rigell	Walberg
Lynch	Roby	Walden
MacArthur	Roe (TN)	Walker
Maloney	Rogers (AL)	Walorski
Carolyn	Rogers (KY)	Walters, Mimi
Maloney, Sean	Rokita	Walz
Marino	Rooney (FL)	Wasserman
Massie	Ros-Lehtinen	Schultz
Matsui	Roskam	Bishop (GA)
McCarthy	Ross	Bishop (MI)
McCaul	Rothfus	Bishop (UT)
McClintock	Rouzer	Black
McCollum	Roybal-Allard	Blackburn
McGovern	Royce	Blum
McHenry	Ruiz	Blumenauer
McKinley	Ruppersberger	Bonamici
McMorris	Russell	Wenstrup
Rodgers	Ryan (OH)	Westerman
McNerney	Salmon	Williams
McSally	Sánchez, Linda	Wilson (FL)
Meadows	T.	Wilson (SC)
Meehan	Sanford	Womack
Meeks	Sarbanes	Woodall
Meng	Scalise	Yoder
Messer	Schakowsky	Yoho
Mica	Schiff	Young (AK)
Miller (FL)	Schrader	Young (IA)
Moolenaar	Schweikert	Young (IN)
Mooney (WV)	Scott (VA)	Zeldin
		Zinke

NOT VOTING—41

Becerra	Harris	Mulvaney
Bridenstine	Hice, Jody B.	Napolitano
Brown (FL)	Honda	Newhouse
Brown	Hunter	Poe (TX)
Chu, Judy	Hurt (VA)	Reichert
Clawson (FL)	Jolly	Richardson
DelBene	Kildee	Rohrabacher
Duffy	Kilmer	Rush
Edwards	Kirkpatrick	Sanchez, Loretta
Ellmers (NC)	LaMalfa	Stutzman
Farr	Lee	Westmoreland
Fincher	Marchant	Wittman
Forbes	McDermott	Yarmuth
Hanna	Miller (MI)	

□ 1852

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

**CREATING FINANCIAL PROSPERITY FOR BUSINESSES AND INVESTORS ACT**

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 6427) to improve the operation of United States capital markets, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. GARRETT) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 391, nays 2, not voting 40, as follows:

[Roll No. 602]

YEAS—391

Abraham	Comer	Gohmert
Adams	Comstock	Goodlatte
Aderholt	Conaway	Gosar
Aguilar	Connolly	Gowdy
Allen	Conyers	Graham
Amash	Cook	Granger
Amodei	Cooper	Graves (GA)
Ashford	Costa	Graves (LA)
Babin	Courtney	Graves (MO)
Barletta	Cramer	Grayson
Barr	Crawford	Green, Al
Barton	Crenshaw	Green, Gene
Bass	Crowley	Griffith
Beatty	Cuellar	Grijalva
Benishek	Culberson	Grothman
Bera	Cummings	Guinta
Beyer	Curbelo (FL)	Guthrie
Billirakis	Davidson	Gutiérrez
Bishop (GA)	Davis (CA)	Hanabusa
Bishop (MI)	Davis, Danny	Hardy
Bishop (UT)	Davis, Rodney	Harper
Black	DeFazio	Harris
Blackburn	DeGette	Hartzler
Blum	Delaney	Hastings
Blumenauer	DeLauro	Heck (NV)
Bonamici	Denham	Heck (WA)
Bost	Dent	Hensarling
Boustany	DeSantis	Herrera Beutler
Boyle, Brendan	DeSaulnier	Higgins
F.	DesJarlais	Hill
Brady (PA)	Deutch	Himes
Brady (TX)	Diaz-Balart	Hinojosa
Brat	Dingell	Holding
Brooks (AL)	Brooks (AL)	Hoyer
Brooks (IN)	Brooks (IN)	Hudson
Brownley (CA)	Brownley (CA)	Huelskamp
Buchanan	Buchanan	Huffman
Buck	Buck	Huizenga (MI)
Bucshon	Bucshon	Hultgren
Burgess	Burgess	Hurd (TX)
Bustos	Bustos	Israel
Butterfield	Butterfield	Issa
Byrne	Byrne	Jackson Lee
Calvert	Calvert	Jeffries
Capps	Capps	Jenkins (KS)
Cárdenas	Cárdenas	Jenkins (WV)
Carson (IN)	Carson (IN)	Johnson (GA)
Carter (GA)	Carter (GA)	Johnson (OH)
Carter (TX)	Carter (TX)	Johnson, E. B.
Cartwright	Cartwright	Johnson, Sam
Castor (FL)	Castor (FL)	Jones
Castro (TX)	Castro (TX)	Jordan
Chabot	Chabot	Joyce
Chaffetz	Chaffetz	Kaptur
Cicilline	Cicilline	Katko
Clark (MA)	Clark (MA)	Keating
Clarke (NY)	Clarke (NY)	Kelly (IL)
Clay	Clay	Kelly (MS)
Cleaver	Cleaver	Kelly (PA)
Clyburn	Clyburn	Kennedy
Coffman	Coffman	Kind
Cohen	Cohen	King (IA)
Cole	Cole	King (NY)
Collins (GA)	Collins (GA)	Kinzinger (IL)
Collins (NY)	Collins (NY)	Kline



Knight  
Kuster  
Labrador  
LaHood  
Lamborn  
Lance  
Langevin  
Larsen (WA)  
Larson (CT)  
Latta  
Lawrence  
Levin  
Lewis  
Lieu, Ted  
Lipinski  
LoBiondo  
Loeb sack  
Lofgren  
Long  
Loudermilk  
Love  
Lowenthal  
Lowey  
Lucas  
Luetkemeyer  
Lujan Grisham (NM)  
Luján, Ben Ray (NM)  
Lummis  
MacArthur  
Maloney, Carolyn  
Maloney, Sean  
Marino  
Massie  
Matsui  
McCarthy  
McCaul  
McClintock  
McCollum  
McGovern  
McHenry  
McKinley  
McMorris  
Rodgers  
McNerney  
McSally  
Meadows  
Meehan  
Meeks  
Meng  
Mica  
Miller (FL)  
Moolenaar  
Mooney (WV)  
Moore  
Moulton  
Mullin  
Murphy (FL)  
Murphy (PA)  
Nadler  
Neal  
Neugebauer  
Noem  
Nolan  
Norcross  
Nugent

NAYS—2

Capuano Lynch

NOT VOTING—40

Becerra  
Bridenstine  
Brown (FL)  
Carney  
Chu, Judy  
Clawson (FL)  
Costello (PA)  
DelBene  
Duffy  
Edwards  
Ellmers (NC)  
Farr  
Fincher  
Forbes

Hanna  
Hice, Jody B.  
Honda  
Hunter  
Hurt (VA)  
Jolly  
Kildee  
Kilmer  
Kirkpatrick  
LaMalfa  
Lee  
Marchant  
McDermott  
Messer

Sewell (AL)  
Sherman  
Shimkus  
Shuster  
Simpson  
Sinema  
Sires  
Slaughter  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Speier  
Stefanik  
Stewart  
Stivers  
Swailwell (CA)  
Takano  
Thompson (CA)  
Thompson (MS)  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Titus  
Tonko  
Torres  
Trott  
Tsongas  
Turner  
Upton  
Valadao  
Van Hollen  
Vargas  
Veasey  
Vela  
Velázquez  
Visclosky  
Wagner  
Walberg  
Walden  
Walker  
Walorski  
Walters, Mimi  
Walz  
Wasserman  
Schultz  
Waters, Maxine  
Watson Coleman  
Weber (TX)  
Webster (FL)  
Welch  
Wenstrup  
Westerman  
Williams  
Wilson (FL)  
Wilson (SC)  
Womack  
Woodall  
Yarmuth  
Yoder  
Yoho  
Young (AK)  
Young (IA)  
Young (IN)  
Zeldin  
Zinke

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

DEPARTMENT OF STATE OPERATIONS AUTHORIZATION AND EMBASSY SECURITY ACT, FISCAL YEAR 2016

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (S. 1635) to authorize the Department of State for fiscal year 2016, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 374, nays 16, not voting 43, as follows:

[Roll No. 603]

YEAS—374

Abraham  
Adams  
Aderholt  
Aguilar  
Allen  
Amash  
Amodei  
Ashford  
Barletta  
Barr  
Barton  
Bass  
Beatty  
Benishek  
Bera  
Beyer  
Bilirakis  
Bishop (GA)  
Bishop (MI)  
Bishop (UT)  
Blum  
Blumenauer  
Bonamici  
Bost  
Boustany  
Boyle, Brendan F.  
Brady (PA)  
Brady (TX)  
Brooks (AL)  
Brooks (IN)  
Brownley (CA)  
Buchanan  
Bucshon  
Burgess  
Bustos  
Butterfield  
Byrne  
Calvert  
Capps  
Capuano  
Cárdenas  
Carson (IN)  
Carter (GA)  
Carter (TX)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chabot  
Chaffetz  
Cicilline  
Clark (MA)  
Clarke (NY)  
Clay  
Cleaver  
Clyburn  
Coffman  
Cohen  
Cole  
Collins (GA)  
Collins (NY)

Labrador  
LaHood  
Lamborn  
Lance  
Langevin  
Larsen (WA)  
Larson (CT)  
Latta  
Lawrence  
Levin  
Lewis  
Lieu, Ted  
Lipinski  
LoBiondo  
Loeb sack  
Lofgren  
Long  
Loudermilk  
Love  
Lowenthal  
Lowey  
Lucas  
Luetkemeyer  
Lujan Grisham (NM)  
Luján, Ben Ray (NM)  
Lummis  
Lynch  
MacArthur  
Maloney, Carolyn  
Maloney, Sean  
Marino  
Matsui  
McCarthy  
McCaul  
McClintock  
McCollum  
McGovern  
McHenry  
McKinley  
McMorris  
Rodgers  
McNerney  
McSally  
Meadows  
Meehan  
Meeks  
Meng  
Mica  
Miller (FL)  
Moolenaar  
Mooney (WV)  
Moore  
Moulton  
Mullin  
Murphy (FL)  
Murphy (PA)  
Nadler  
Neal  
Neugebauer  
Noem  
Nolan  
Norcross  
Nugent  
Nunes  
O'Rourke

NAYS—16

Babin  
Black  
Blackburn  
Brat  
Buck  
Conaway

NOT VOTING—43

Becerra  
Bridenstine  
Brown (FL)  
Carney  
Chu, Judy  
Clawson (FL)  
Costello (PA)  
DelBene  
Duffy  
Edwards  
Ellmers (NC)  
Farr  
Fincher  
Forbes  
Hanna

□ 1910

Messrs. CONAWAY, GOODLATTE, and GRIFFITH changed their vote from "yea" to "nay."

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1902

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### PERSONAL EXPLANATION

Mrs. NAPOLITANO. Madam Speaker, I was absent on Monday, December 5, 2016. Had I been present, I would have voted "yea" on rollcall No. 601—H.R. 5015—Combat-Injured Veterans Tax Fairness Act of 2016, as amended, "yea" on rollcall No. 602—H.R. 6427—Creating Financial Prosperity for Businesses and Investors Act, and "yea" on rollcall No. 603—House Amendment to S. 1635—Department of State Authorities Act, Fiscal Year 2017, as amended.

#### PRESIDENTIAL ALLOWANCE MODERNIZATION ACT OF 2016—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

Mr. CHAFFETZ. Madam Speaker, notwithstanding the order of the House of September 22, 2016, I ask unanimous consent that the veto message of the President on the bill, H.R. 1777, together with the accompanying bill, be referred to the Committee on Oversight and Government Reform.

The SPEAKER pro tempore (Ms. MCSALLY). Is there objection to the request of the gentleman from Utah?

There was no objection.

#### PROVIDING FOR APPOINTMENT OF MEMBERS OF BOARD OF DIRECTORS OF OFFICE OF COMPLIANCE

Mr. RODNEY DAVIS of Illinois. Madam Speaker, I ask unanimous consent that the Committee on House Administration be discharged from further consideration of the bill (H.R. 6415) to provide for the appointment of members of the Board of Directors of the Office of Compliance to replace members whose terms expire during 2017, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

There was no objection.

The text of the bill is as follows:

H.R. 6415

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

#### SECTION 1. APPOINTMENT OF MEMBERS OF BOARD OF DIRECTORS OF OFFICE OF COMPLIANCE.

(a) APPOINTMENT OF MEMBERS.—

(1) MEMBERS REPLACING MEMBERS WHOSE TERMS EXPIRE IN MARCH 2017.—Notwithstanding the first sentence of section 301(e) of the Congressional Accountability Act of 1995 (2 U.S.C. 1381(e)), of the members of the Board of Directors of the Office of Compliance who are appointed to replace the 3 members whose terms expire in March 2017—

(A) one shall have a term of office of 3 years; and

(B) two shall have a term of office of 4 years,

as designated at the time of appointment by the persons specified in section 301(b) of such Act (2 U.S.C. 1381(b)).

(2) MEMBERS REPLACING MEMBERS WHOSE TERMS EXPIRE IN MAY 2017.—In accordance with the first sentence of section 301(e) of the Congressional Accountability Act of 1995 (2 U.S.C. 1381(e)), the members of the Board of Directors of the Office of Compliance who are appointed to replace the 2 members whose terms expire in May 2017 shall each have a term of office of 5 years.

(b) SERVICE OF CURRENT MEMBERS.—Notwithstanding the second sentence of section 301(e) of the Congressional Accountability Act of 1995 (2 U.S.C. 1381(e)) or section 3 of the Office of Compliance Administrative and Technical Corrections Act of 2015 (Public Law 114-6; 2 U.S.C. 1381 note)—

(1) an individual serving as a member of the Board of Directors of the Office of Compliance whose term expires in March 2017 may be reappointed to serve one additional term at the length designated under paragraph (1) of subsection (a), but may not be reappointed to any additional terms after that additional term expires; and

(2) an individual serving as a member of the Board of Directors of the Office of Compliance whose term expires in May 2017 may be reappointed to serve one additional term at the length referred to in paragraph (2) of subsection (a), but may not be reappointed to any additional terms after that additional term expires.

(c) PERMITTING MEMBERS TO SERVE UNTIL APPOINTMENT OF SUCCESSORS.—Section 301(e) of the Congressional Accountability Act of 1995 (2 U.S.C. 1381(e)) is amended by adding at the end the following new paragraph:

“(3) PERMITTING SERVICE UNTIL APPOINTMENT OF SUCCESSOR.—A member of the Board may serve after the expiration of that member’s term until a successor has taken office.”.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### DIRECTING THE SECRETARY OF THE SENATE TO MAKE TECHNICAL CORRECTIONS IN THE ENROLLMENT OF S. 2943

Mr. THORNBERRY. Madam Speaker, I send to the desk a concurrent resolution and ask unanimous consent for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

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

There was no objection.

The text of the concurrent resolution is as follows:

H. CON. RES. 179

*Resolved by the House of Representatives (the Senate concurring),* That in the enrollment of the bill S. 2943, the Secretary of the Senate shall make the following corrections:

(1) In section 212(a), strike “less two” and insert “less than two”.

(2) In section 217(a)(1), strike “is amended” and insert “as amended by section 821(a), is further amended” and strike “2338” and insert “2339”.

(3) In section 217(a)(2), strike “is amended” and insert “, as amended by section 821(b), is further amended” and strike “2338” and insert “2339”.

(4) In section 217(b)(1)(A), strike “section 2338” and insert “sections 2338 and 2339”.

(5) In section 512(c), strike “Section 7511” and insert “Section 7511(b)”.

(6) In section 707(b)(4), strike “pursuant to section 709” and insert “pursuant to section 708”.

(7) In the tables in section 4701, relating to Department of Energy National Security Programs, Infrastructure and Operations, Construction, strike “04-D-125-04 RLUOB equipment installation” and insert “04-D-125 Chemistry and metallurgy research replacement project, LANL”.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

#### UNITED NATIONS

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

Ms. ROS-LEHTINEN. Madam Speaker, last week, the United Nations General Assembly passed six anti-Israel resolutions, including yet another one that denies and distances Jewish and Christian ties to the Temple Mount.

In fact, Madam Speaker, the General Assembly will have taken up 20 anti-Israel resolutions by the end of this session and will have only brought up four—one, two, three, four—measures against some of the world’s worst human rights violators like Iran, China, Russia, North Korea, Venezuela, and Cuba—combined.

This just underscores, Madam Speaker, the need for systemwide reforms at the United Nations.

With the new administration, Madam Speaker, we have an opportunity in the upcoming Congress to wield our considerable influence and leverage to promote and enact reforms by reassessing how we contribute taxpayer dollars to the corrupt U.N. system.

The U.S. must stop legitimizing this farce at the United Nations. It is time for us to take action and bring much-needed reforms.

□ 1915

#### PLEASE MEET DAISY ARVIZU

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

Mr. O’ROURKE. Madam Speaker, please meet Daisy Arvizu, who was one of over 300 El Pasoans to join us at a DREAMers town hall that we held in downtown El Paso at the Community Foundation Room with the Border Network for Human Rights and Las Americas Immigration Center last week. It was an opportunity for our community to come forward, both the DREAMers in our community and those who support the DREAMers, like Daisy who was brought here at the tender age of 1 year and 8 months, who works two jobs, a day job and a night job, and is also a student at the El Paso Community College.

Because the President-elect has vowed to terminate the executive action known as DACA, that means Daisy

has uncertainty, at a minimum. In the worst case scenario, she will be deported back to a country she does not know, a language she does not speak, and she and this country will lose the benefit of her potential.

Madam Speaker, we need to do the right thing. We need to keep Daisy and the 700-plus other DREAMers in this country for the benefit of our country and the potential that they can bring to the United States. I ask for your help, the help of the Members here, and the President-elect in making sure that we do the right thing for this country and for young DREAMers like Daisy.

#### 10TH ANNIVERSARY OF THE STATE THEATRE

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

Mr. THOMPSON of Pennsylvania. Madam Speaker, on Saturday evening, I had the privilege of attending the 10th anniversary celebration of The State Theatre in State College, Centre County.

The State Theatre first opened as a movie house for Warner Bros. Pictures on October 15, 1938, showing "The Sisters," starring Errol Flynn and Bette Davis.

Closing in 2001, the theatre building was extensively refurbished and reopened in December 2006, as a state-of-the-art venue for theatre, dance, music, film, concerts, and other regional and international performances. Today, The State Theatre is a community-owned theatre dedicated to serving the Centre County region.

The theatre is a hub of local culture, featuring artists both homegrown and nationally renowned. There is something for everyone at The State Theatre—rock 'n' roll, country, indie, and blues; drama, musical theatre, comedy, and opera; movies, dance, stand-up, and children's programming.

There is rarely a day at the theatre without a show to be seen, a concert to be heard, or a laugh to be had.

Congratulations and thank you to the leadership, employees, volunteers, and supporters of The State Theatre for being a great venue for artists and audiences.

#### TRIBUTE TO THREE-TIME SPRINT CUP SERIES CHAMPION TONY STEWART

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

Mr. HUDSON. Madam Speaker, I rise today to pay tribute to the incredible career of three-time Sprint Cup Series champion Tony Stewart on his retirement.

Tony Stewart, known to his many fans as "Smoke," started his career as a kid go-kart racing. He climbed the

ladder one step at a time throughout his 20-year driving career to become the legend he is today.

Every time Tony faced an obstacle, he overcame it with unmatched tenacity. He is a reminder to all of us that champions aren't born winners; they are built through hard work, grit, and determination.

Tony is driven by that same doggedness off the track, leading Stewart-Haas Racing in my congressional district in Kannapolis, North Carolina, and helping folks in need through the Tony Stewart Foundation. His role might be changing, but I know Smoke's presence at the racetrack and his impact on the sport we love will continue.

Renee and I applaud Tony for his outstanding career, and we wish him all the best as he begins this next chapter.

Madam Speaker, on behalf of North Carolina's Eighth District and racing fans everywhere, I am proud to say congratulations to Tony—always a racer, forever a champion.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. NEWHOUSE (at the request of Mr. MCCARTHY) for today on account of flight delays due to weather.

Mr. POE of Texas (at the request of Mr. MCCARTHY) for today and the balance of the week on account of personal reasons.

Mr. DUFFY (at the request of Mr. MCCARTHY) for today on account of flight delays due to weather.

Mrs. NAPOLITANO (at the request of Ms. PELOSI) for today.

#### ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 5509. An act to name the Department of Veterans Affairs temporary lodging facility in Indianapolis, Indiana, as the "Dr. Otis Bowen Veteran House".

H.R. 5995. An act to strike the sunset on certain provisions relating to the authorized protest of a task or delivery order under section 4106 of title 41, United States Code.

#### SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 1550. An act to amend title 31, United States Code, to establish entities tasked with improving program and project management in certain Federal agencies, and for other purposes.

#### BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on December 2, 2016, she presented to the President of the

United States, for his approval, the following bills:

H.R. 4419. To update the financial disclosure requirements for judges of the District of Columbia courts and to make other improvements to the District of Columbia courts.

H.R. 5785. To amend title 5, United States Code, to provide for an annuity supplement for certain air traffic controllers.

H.R. 6297. To reauthorize the Iran Sanctions Act of 1996.

H.R. 5111. To prohibit the use of certain clauses in form contracts that restrict the ability of a consumer to communicate regarding the goods or services offered in interstate commerce that were the subject of the contract, and for other purposes.

H.R. 3471. To amend title 38, United States Code, to make certain improvements in the provision of automobiles and adaptive equipment by the Department of Veterans Affairs.

Karen L. Haas, Clerk of the House, further reported that on December 5, 2016, she presented to the President of the United States, for his approval, the following bills:

H.R. 5509. To name the Department of Veterans Affairs temporary lodging facility in Indianapolis, Indiana, as the "Dr. Otis Bowen Veteran House".

H.R. 5995. To strike the sunset on certain provisions relating to the authorized protest of a task or delivery order under section 4106 of title 41, United States Code.

#### ADJOURNMENT

Mr. THOMPSON of Pennsylvania. Madam Speaker, I move that the House now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 19 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, December 6, 2016, at 10 a.m. for morning-hour debate.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

7724. A letter from the Deputy Secretary, Commodity Futures Trading Commission, transmitting the Commission's final rules — Commodity Pool Operator Financial Reports (RIN: 3038-AE47) received December 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

7725. A letter from the Honors Attorney, Legal Division, Consumer Financial Protection Bureau, transmitting the Bureau's final rules — Consumer Leasing (Regulation M) [Docket No.: CFPB-2016-0036] (RIN: 3170-AA66) received December 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

7726. A letter from the Honors Attorney, Legal Division, Consumer Financial Protection Bureau, transmitting the Bureau's final rules — Truth in Lending (Regulation Z) [Docket No.: CFPB-2016-0037] (RIN: 3170-AA67) received December 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

7727. A letter from the Senior Counsel, Legal Division, Consumer Financial Protection Bureau, transmitting the Bureau's

Major final rule — Prepaid Accounts Under the Electronic Fund Transfer Act (Regulation E) and the Truth in Lending Act (Regulation Z) [Docket No.: CFPB-2014-0031] (RIN: 3170-AA22) received November 30, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

7728. A letter from the Director, Office of Legislative and Intergovernmental Affairs, Securities and Exchange Commission, transmitting a Report on Modernization and Simplification of Regulation S-K, pursuant to 15 U.S.C. 77s note; Public Law 114-94, Sec. 72003(c); (129 Stat. 1785); to the Committee on Financial Services.

7729. A letter from the Associate General Counsel for Legislation and Regulations, Office of the Public and Indian Housing, Department of Housing and Urban Development, transmitting the Department's final rule — Native American Housing Assistance and Self-Determination Act; Revisions to the Indian Housing Block Grant Program Formula [Docket No.: FR-5650-F-14] (RIN: 2577-AC90) received December 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

7730. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's Major final rule — Renewable Fuel Standard Program: Standards for 2017 and Biomass-Based Diesel Volume for 2018 [EPA-HQ-OAR-2016-0004; FRL-9955-84-OAR] (RIN: 2060-AS72) received December 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7731. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Kentucky; Revisions to Louisville Definitions and Ambient Air Quality Standards [EPA-R04-OAR-2015-0521; FRL-9955-90-Region 4] received December 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7732. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Quality Plans; Kentucky; Infrastructure Requirements for the 2010 Sulfur Dioxide National Ambient Air Quality Standard [EPA-R04-OAR-2014-0426; FRL-9955-96-Region 4] received December 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7733. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Bicycloporyne; Pesticide Tolerances [EPA-HQ-OPP-2015-0560; FRL-9954-63] received December 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7734. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Determination of Attainment by the Attainment Date for the 2008 Ozone National Ambient Air Quality Standards; Pennsylvania; Pittsburgh-Beaver Valley [EPA-R03-OAR-2016-0368; FRL-9955-91-Region 3] received December 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7735. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Muscodor albus strain SA-13 and the volatiles produced on rehydration;

Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2014-0919; FRL-9952-88] received December 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7736. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Oxathiapiprolin; Pesticide Tolerances [EPA-HQ-OPP-2016-0049; FRL-9954-69] received December 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7737. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Quizalofop ethyl; Pesticide Tolerances [EPA-HQ-OPP-2015-0412; FRL-9950-89] received December 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7738. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Tau-Fluvalinate; Pesticide Tolerance [EPA-HQ-OPP-2015-0439; FRL-9954-33] received December 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7739. A letter from the Deputy Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting the Commission's final rule — Connect America Fund [WC Docket No.: 10-90] received December 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7740. A letter from the Deputy Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting the Commission's final rule — Protecting the Privacy of Customers of Broadband and Other Telecommunications Services [WC Docket No.: 16-106] received December 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7741. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting a notice of Proposed Lease Pursuant to Section 62(a) of the Arms Export Control Act, Transmittal No. 08-16; to the Committee on Foreign Affairs.

7742. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report titled "Designations of Countries of Particular Concern, Imposition of Presidential Actions, and Exercise of Waiver Authority Under the International Religious Freedom Act of 1998"; to the Committee on Foreign Affairs.

7743. A letter from the Director, International Cooperation, Office of Acquisition, Technology, and Logistics, Department of Defense, transmitting a letter informing Congress of the Department's intent to sign a Memorandum of Understanding Between the Department of Defense of the United States of America and the Federal Ministry of Defence of the Federal Republic of Germany, Transmittal No. 30-16, pursuant to Sec. 27(f) of the Arms Export Control Act and Executive Order 13637; to the Committee on Foreign Affairs.

7744. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's small entity compliance guide — Federal Acquisition Regulation; Federal Acquisition Circular 2005-92 [Docket No.: FAR 2016-0051, Sequence No.: 6] received November 21, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec.

251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

7745. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Groundfish Fishery by Vessels Using Trawl Gear in the Gulf of Alaska [Docket No.: 150818742-6210-02] (RIN: 0648-XE990) received December 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7746. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Bering Sea Subarea of the Bering Sea and Aleutian Islands Management Area [Docket No.: 150916863-6211-02] (RIN: 0648-XE950) received December 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7747. A letter from the Deputy Assistant Administrator For Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Chinook Salmon Bycatch Management in the Gulf of Alaska Trawl Fisheries; Amendment 103 [160229157-6781-02] (RIN: 0648-BF84) received December 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7748. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's proposed rule — Fisheries of the Exclusive Economic Zone Off Alaska; Modifications to Recordkeeping and Reporting Requirements [Docket No.: 160225147-6147-01] (RIN: 0648-BF83) received December 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7749. A letter from the Deputy Assistant Administrator For Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Red Grouper Management Measures [Docket No.: 160613514-6908-02] (RIN: 0648-BG12) received December 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7750. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pacific Cod in the Bering Sea and Aleutian Islands Management Area [Docket No.: 150916863-6211-02] (RIN: 0648-XF012) received December 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7751. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Exchange of Flatfish in the Bering Sea and Aleutian Islands Management Area [Docket No.: 150916863-6211-02] (RIN: 0648-XF010) received December 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law

104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7752. A letter from the Deputy Assistant Administrator For Regulatory Programs, NMFIS, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries Off West Coast States; Coastal Pelagic Species Fisheries; Multi-Year Specifications for Monitored and Prohibited Harvest Species Stock Categories [Docket No.: 130808697-6907-02] (RIN: 0648-XC808) received December 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7753. A letter from the Assistant Secretary for Legislation, Office of the Secretary, Department of Health and Human Services, transmitting the Fiscal Year 2012 Report to Congress on Administration of the Tribal Self-Governance Program, pursuant to Sec. 458aaa-13(a), 25 U.S.C. 450 et seq., as amended; to the Committee on Natural Resources.

7754. A letter from the Assistant Secretary for Legislation, Office of the Secretary, Department of Health and Human Services, transmitting the Fiscal Year 2013 Report to Congress on Administration of the Tribal Self-Governance Program, pursuant to Sec. 458aaa-13(a), 25 U.S.C. 450 et seq., as amended; to the Committee on Natural Resources.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 3711. A bill to authorize the Secretary of the Interior to conduct a special resource study of Chicano Park, located in San Diego, California, and for other purposes; with an amendment (Rept. 114-845). Referred to the Committee of the Whole House on the state of the Union.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. PALLONE (for himself, Mr. PASCRELL, and Mr. PAYNE):

H.R. 6434. A bill to provide for more transparent and appropriate reimbursement of insurers participating in the Write Your Own program under the National Flood Insurance Program, and for other purposes; to the Committee on Financial Services.

By Mr. MULLIN:

H.R. 6435. A bill to authorize the Directors of Veterans Integrated Service Networks of the Department of Veterans Affairs to enter into contracts with appropriate civilian accreditation entities or appropriate health care evaluation entities to investigate medical centers of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. HECK of Washington (for himself, Mr. SHERMAN, and Ms. KUSTER):

H.R. 6436. A bill to require that any international insurance standards agreed to by parties representing the United States reflect existing United States laws, regulations, and policies on regulation of insurance, and for other purposes; to the Committee on Financial Services.

By Mr. HIMES:

H.R. 6437. A bill to prohibit funds available for the United States Armed Forces to be ob-

ligated or expended for introduction of the Armed Forces into hostilities, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Rules, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SAM JOHNSON of Texas (for himself and Mr. LARSON of Connecticut):

H.R. 6438. A bill to extend the waiver of limitations with respect to excluding from gross income amounts received by wrongfully incarcerated individuals; to the Committee on Ways and Means.

By Mr. THORNBERRY:

H. Con. Res. 179. Concurrent resolution directing the Secretary of the Senate to make certain corrections in the enrollment of S. 2943; considered and agreed to.

By Mr. CARDENAS (for himself and Ms. LOFGREN):

H. Res. 941. A resolution expressing support for the designation of February 22, 2017, as "National Heart Valve Disease Awareness Day", coinciding with American Heart Month; to the Committee on Energy and Commerce.

By Mr. SESSIONS (for himself, Mr. CARTER of Georgia, Mr. GOHMERT, Mr. BYRNE, Mr. STIVERS, Mr. BRAT, Mr. AUSTIN SCOTT of Georgia, Mr. COLLINS of Georgia, Mr. BROOKS of Alabama, Mr. FARENTHOLD, Mr. ROE of Tennessee, Mr. LABRADOR, Mr. DE SANTIS, and Mr. MEADOWS):

H. Res. 942. A resolution recognizing the historical importance of Associate Justice Clarence Thomas; to the Committee on the Judiciary, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. GABBARD:

H. Res. 943. A resolution recognizing the 100th anniversary of the establishment of Hawaii Volcanoes National Park and Haleakala National Park in the State of Hawaii, and expressing support for designation of August 1, 2016, as "Hawaii Volcanoes and Haleakala National Parks Day"; to the Committee on Natural Resources.

#### MEMORIALS

Under clause 3 of rule XII,

310. The SPEAKER presented a memorial of the General Assembly of the State of Indiana, relative to Senate Enrolled Joint Resolution 14, requesting the Congress of the United States call a convention of the states to propose amendments to the Constitution of the United States; which was referred to the Committee on the Judiciary.

#### CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. PALLONE:

H.R. 6434.

Congress has the power to enact this legislation pursuant to the following:

Clause 7 of Section 9 of Article I of the Constitution

By Mr. MULLIN:

H.R. 6435.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the U.S. Constitution

By Mr. HECK of Washington:

H.R. 6436.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution of the United States

By Mr. HIMES:

H.R. 6437.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, clauses 11, 12, 13, 14, 18

By Mr. SAM JOHNSON of Texas:

H.R. 6438.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution of the United States of America.

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 1098: Mr. CONYERS.

H.R. 1457: Mr. KNIGHT.

H.R. 1608: Mr. LUETKEMEYER and Mr. BEYER.

H.R. 2293: Mr. WALZ.

H.R. 2537: Mr. REED.

H.R. 3591: Ms. LEE, Mr. SWALWELL of California, Mr. COURTNEY, Ms. NORTON, Mr. DESAULNIER, Ms. KUSTER, Mr. GARAMENDI, Mr. ASHFORD, and Mr. MCGOVERN.

H.R. 4216: Mr. HIGGINS and Mr. CLAY.

H.R. 4220: Mr. POLIS.

H.R. 5131: Ms. BROWNLEY of California.

H.R. 5235: Mr. KNIGHT and Mr. COOK.

H.R. 5274: Mr. REED.

H.R. 5386: Ms. LOFGREN and Mr. GALLEGRO.

H.R. 5440: Mr. KIND.

H.R. 5689: Ms. LOFGREN.

H.R. 5721: Mr. TONKO.

H.R. 6020: Ms. PLASKETT.

H.R. 6021: Ms. PLASKETT.

H.R. 6072: Mr. DEFAZIO.

H.R. 6117: Ms. ROYBAL-ALLARD.

H.R. 6275: Mrs. BEATTY.

H.R. 6340: Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. CONNOLLY, Mr. TAKANO, and Mr. SARBANES.

H.R. 6382: Mr. MCGOVERN, Mr. BERA, Mr. HUFFMAN, Mr. SCOTT of Virginia, Ms. SCHKOWSKY, and Mr. KILMER.

H.R. 6421: Mr. SHERMAN and Ms. MENG.

H.R. 6426: Mr. SMITH of Nebraska and Mr. MASSIE.

H.R. 6428: Mr. ELLISON, Ms. LOFGREN, Mr. LOEBSACK, and Mr. DEFAZIO.

H.R. 6431: Ms. SLAUGHTER, Mr. HIGGINS, Mr. CRAMER, Mr. NOLAN, Mr. COLLINS of New York, Mr. KIND, Mr. WELCH, Mr. HUIZENGA of Michigan, Mr. ZINKE, Mr. RYAN of Ohio, Mr. GUINTA, Mr. DEFAZIO, Ms. DELBENE, Mr. MURPHY of Pennsylvania, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. HECK of Washington, and Ms. LOFGREN.

H.R. 6433: Mr. DOLD.

H. Con. Res. 159: Mr. PETERS.

H. Con. Res. 176: Mr. VAN HOLLEN.

H. Res. 591: Mr. YARMUTH.

H. Res. 899: Ms. LOFGREN, Mr. POLIQUIN, and Mr. ROE of Tennessee.

H. Res. 928: Mr. SWALWELL of California, Mr. KING of New York, and Ms. FRANKEL of Florida.

#### PETITIONS, ETC.

Under clause 3 of rule XII,

95. The SPEAKER presented a petition of Barack H. Obama and the Members of the United States; which was referred to the the City of Miami Commission, relative to 114th United States Congress to grant temporary protective status to Haitians in the Resolution R-16-0525, urging President Barack H. Obama and the Members of the United States; which was referred to the Committee on the Judiciary.