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

DESIGNATION OF SPEAKER PRO TEMPORE
The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC, June 7, 2016.
I hereby appoint the Honorable Steve WOMACK 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.

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

Mr. JENKINS. The Committee on Oversight and Government Reform conducted an extensive investigation into the economic impact of the carbon tax, and the House voted to impose a 2-year moratorium on a carbon tax.

If a carbon tax would be imposed, all of this would change. According to the nonpartisan Congressional Budget Office, a carbon tax would hurt our economy, It would raise prices and diminish people’s purchasing power. It would reduce the number of hours people worked, resulting in lost wages. It would also disproportionately hurt low-income families and raise energy prices for seniors and families.

The coal mined in West Virginia made us who we are, making us the second largest producer of coal in the United States.

In southern West Virginia, that means we might not be able to redevelop our former mine sites to their full potential. It could even halt the much-needed Hobet mine redevelopment.

Noncompliant counties also might not be able to build new highways. For southern West Virginia, that could mean long planned highway projects are put on the back burner again.

This week, we will vote in the House on a bill to put the brakes on the EPA’s latest actions. We will give the States time to catch up before the EPA tries to impose yet another standard. We will protect public health while ensuring implementation of new ozone standards that don’t cripple our economy.

This is a commonsense bill that deserves bipartisan support.

HONORING ANITA DATAR
The SPEAKER pro tempore. The Chair recognizes the gentlewoman from New York (Mrs. LOWEY) for 5 minutes.

Mrs. LOWEY. Mr. Speaker, I rise to honor an extraordinary public servant, Anita Datar, who was tragically killed late last year during the despicable terrorist attack at the Radisson Blu Hotel in Bamako, Mali.

Anita, only 41 years old, was senior director for field programs for the international development firm, Palladium. She went to Mali on a USAID-supported research project focused on women’s reproductive health.

Raised in New Jersey, Anita devoted her entire career to international public health and development. She started as a Peace Corps volunteer in Senegal, and then continued to travel throughout sub-Saharan Africa, Latin America, and the Caribbean, helping vulnerable communities escape poverty and disease.

Anita founded a nonprofit organization that connects low-income women in developing countries to quality health care.

In this economy, when West Virginia produces coal, they need the jobs and investment not a carbon tax.

The new ozone standards the EPA wants to impose on States would hurt manufacturing, drilling, mining, and agricultural operations, hurting the families who depend on these jobs.

The EPA is ratcheting up its ozone standard on States. Most States and counties haven’t even met the 2008 ozone standard, and now the bar is being raised again. This is unrealistic.

Counts not in compliance with the new standard could find it even harder to attract and build new developments.
health services. She was especially committed to expanding access to family planning services and treating and preventing HIV.

Anita’s son, Rohan, is in the gallery today with his father, David. They will join Anita’s friends and colleagues at a reception this evening at the U.S. Institute of Peace to remember Anita and celebrate the mark her work left on so many.

Rohan recently moved to my home district in New York. Rohan, we are proud and honored to have you in our community. Your mom made the world a better place through her passion, spirit, and dedication to helping others. Her selfless commitment to service is one of the many indelible legacies Anita bestowed on Rohan and all those who had the honor of knowing her.

I would also note that the Senate passed, on February 1, 2016, a bipartisan resolution, S. Res. 347, honoring the memory and legacy of Anita Ashok Datar; condemning the terrorist attack in Bamako, Mali, on November 20, 2015; and extending heartfelt condolences and prayers to the family, friends, and colleagues of Anita Ashok Datar, particularly her son, Rohan; and the individuals touched by the life of Anita Ashok Datar or affected by her death, including the dedicated development professionals and volunteers that continue to selflessly engage in critical humanitarian and development efforts.

The text of S. Res. 347 can be found on pages S134–S135 of the CONGRESSIONAL RECORD, dated Wednesday, January 20, 2016.

We will continue to be inspired by Anita’s dedication to helping others.

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 8 minutes p.m.), the House stood in recess.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 2 p.m.

PRAYER

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

We give You thanks, O merciful God, for giving us another day.

In these days after Memorial Day, we thank You again for the ultimate sacrifices of so many of our citizen ancestors. Bless their families with Your consolation. Bless, as well, the men and women who serve our Nation this day in our Armed Forces.

O God, You have blessed every person with the full measure of Your Grace and given us the bounty of Your Spirit.

We pray, especially today, for Your children here in the U.S. but also across the world who are lacking in the nutrition to develop and grow as human persons, fully alive. May we who have so much work to provide bread for the world, especially for those in the first 1,000 days of their lives, from conception to early childhood.

As the Members of this people’s House return from the Memorial Day adjournment, bless them with the wisdom and perseverance to attend to the pressing needs of hunger and thirst, for sustenance, and for justice.

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

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Minnesota (Mr. EMMER) come forward and lead the House in the Pledge of Allegiance.

Mr. EMMER of Minnesota led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

REMEMBERING A TRUE MINNESOTAN

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

Mr. EMMER of Minnesota, Mr. Speaker, I rise to remember the life of St. Cloud native Wheelock Whitney. Mr. Whitney devoted his life to the State of Minnesota and to our community.

Wheelock Whitney was born in St. Cloud, Minnesota, and joined the Navy following high school. After serving his country, he attended Yale University and went on to become the successful CEO of J.M. Dain & Company until he retired in 1972.

Wheelock’s passions, however, expanded far beyond business. He served as the mayor of Wayzata, Minnesota, and ran for the U.S. Senate in 1964. He also ran for Governor of the State of Minnesota in 1982. Wheelock was active in politics throughout his long life. He was also a baseball enthusiast and was instrumental in bringing our beloved Twins to Minnesota.

While Wheelock will, undoubtedly, be remembered for his successful career and many endeavors, many of us will remember him for his charity. Among his many charitable efforts, Wheelock served as the chairman of the National Council on Alcoholism and Drug Dependence, and he cofounded the Johnson Institute, which helps fight addiction.

Wheelock Whitney was a man with a great heart. He lived to help others and strived to make Minnesota a wonderful place to live, and we will all miss him.

THE FAILURE OF HOUSE REPUBLICANS IN CONGRESS

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

Mr. KILDEE, Mr. Speaker, Republicans in Congress have failed to pass a budget or to adequately address the health crises that we have brewing in this country, including one in my own hometown of Flint, Michigan.

Now, this week, Speaker RYAN is trying to distract the focus from Republican Party leader and presumptive nominee Donald Trump’s racist and bigoted remarks toward Mexican Americans and Muslims.

Releasing white papers is not enough to offset what the leader of your party is saying every day about American citizens.

Last week, for example, Donald Trump questioned the ability of an American Federal judge to do his job—this is a direct quote—because “he’s a Mexican.” He even doubled down on this extreme position, questioning whether a Muslim American judge could also properly do his job based on his religion, based on his beliefs. These are deeply troubling, racist, un-American comments that cannot be tolerated, that cannot be accepted.

Honestly, if I felt as if the leadership in the House were doing its job to overcome that so as to do its own job and not align with those sorts of statements by allowing its own legislation to fail because of the willingness to fly the Confederate flag, it would be far more acceptable.

The SPEAKER pro tempore (Mr. JENKINS of West Virginia). The Chair will remind Members to refrain from engaging in personalities towards presumptive nominees for the Office of the President.

SPEAKER RYAN’S “A BETTER WAY” AGENDA

(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, this week, Speaker RYAN has outlined a bold Republican agenda that advances meaningful reforms to address poverty, to protect national security, to grow our economy and create jobs, to defend the American dream, to improve health care, and to reform the Tax Code. The A Better Way program will provide positive opportunities for American families
and will chart the course that challenges all Americans to reach their full potential.

The American Dream should be true for everyone. All should have a chance to make the most of their lives no matter how they start. The optimistic agency of this will lift America back on track while addressing one of the most serious challenges of our time. I appreciate Speaker Ryan’s work to make this a positive and inclusive process by collecting feedback from the folks across the country for A Better Way.

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

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise in recognition of the tragic loss and in memory of 19-year-old Coy Lutz, a young man from my hometown of Howard, Pennsylvania, who was killed in a New Jersey rodeo accident.

Coy was a four-time national qualifier and a two-time Pennsylvania State champion in High School Rodeo Associations. He was also a 2015 graduate of the Central Pennsylvania Institute of Science and Technology. He continued his education at the University of Tennessee at Martin, where he was majoring in criminal justice.

At the University of Tennessee, Coy was also pursuing his passion for rodeo. Following his death, the university’s rodeo coach, John Luthi, said, “Even though he was only here for 1 year, his impact will always be felt here at UT Martin. He was a super human being who always took care of his business. It’s hard to imagine why something like this had to happen, but we have faith that God is in control.”

My thoughts and prayers remain with the Lutz family, including Coy’s parents, Doug and Sabine, along with his sisters, Melanie and Laura.

PFEIFER KIWANIS CAMP AND EXECUTIVE DIRECTOR SANFORD TOLLETTE
(Mr. HILL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HILL. Mr. Speaker, I rise to recognize the dedicated and exceptional work of Mr. Sanford Tollette, the executive director of the Joseph Pfeifer Kiwanis Camp in Arkansas.

The camp provides at-risk and underprivileged children throughout Arkansas with the opportunity to enhance their life experiencing nature and the great outdoors. Originally a summer camp, Mr. Tollette has transformed it into a year-round residential academic intervention program.

A grateful mother from Arkansas recently shared with me the powerful impact that the camp has had on her daughter’s development, allowing her to better interact with her friends and her classmates. The camp has provided critical guidance and information to the mother to help her with her child’s development.

Under his leadership, the camp has provided thousands of young Arkansans with the opportunity to grow, learn, and build lasting friendships. I commend Mr. Tollette for his fruitful efforts, and I look forward to his continued success.

RECESS
The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 3:45 p.m. today. Accordingly (at 2 o’clock and 10 minutes p.m.), the House stood in recess.

☐ 1545

AFTER RECESS
The recess having expired, the House was called to order by the Speaker pro tempore (Mr. FARENTHOLD) at 3 o’clock and 45 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.

CHECKPOINT OPTIMIZATION AND EFFICIENCY ACT OF 2016
Mr. KATKO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5338) to reduce passenger wait times at airports, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5338
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 “Checkpoint Optimization and Efficiency Act of 2016”.

SEC. 2. SENSE OF CONGRESS.
It is the sense of Congress that airport checkpoint wait times should not take priority over the security of the Nation’s aviation system.

SEC. 3. ENHANCED STAFFING ALLOCATION MODEL.
(a) In General.—Not later than 30 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall complete an assessment of the Administration’s staffing allocation model to determine the necessary staffing positions at all airports in the United States at which the Administration operates passenger checkpoints.

(b) APPROPRIATE STAFFING.—The staffing allocation model described in subsection (a) shall be based on necessary staffing levels to maintain minimal passenger wait times and maximum security effectiveness.

(c) ADDITIONAL RESOURCES.—In assessing necessary staffing for minimal passenger wait times and maximum security effectiveness referred to in subsection (b), the Administrator of the Transportation Security Administration shall include the use of canine explosives detection teams and technology to assist screeners conducting security checks.

(d) TRANSPARENCY.—The Administrator of the Transportation Security Administration shall share with aviation security stakeholders the staffing allocation model described in subsection (a), as appropriate.

SEC. 4. EFFECTIVE UTILIZATION OF STAFFING RESOURCES.

(a) IN GENERAL.—To the greatest extent practicable, the Administrator of the Transportation Security Administration shall direct that Transportation Security Officers with appropriate certifications and training are assigned to passenger and baggage security operations and that other Administration personnel who may not have certification and training to screen passengers or baggage are utilized for tasks not directly related to security, including restocking bins and providing instructions and support to passengers in security lines.

(b) ASSESSMENT AND REASSIGNMENT.—The Administrator of the Transportation Security Administration shall conduct an assessment of headquarters personnel and reassign appropriate personnel to assist with airport security screening activities on a permanent or temporary basis, as appropriate.

SEC. 5. TSA STAFFING AND RESOURCE ALLOCATION.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall take the following actions:

(1) Utilize the Administration’s Behavior Detection Officers for passenger and baggage security screening, including the verification of traveler documents, particularly at designated PreCheck lanes to ensure that such lanes are operational for use and maximum efficiency.

(2) Make every practicable effort to grant additional flexibility and authority to Federal Security Directors in matters related to checkpoint and checked baggage staffing allocation and employment in furtherance of maintaining minimal passenger wait times and maximum security effectiveness.
There was no objection. Mr. KATKO. Mr. Speaker, I yield myself such time as I may consume. We have all seen, heard about, or even experienced for ourselves the recent crisis of wait times at TSA checkpoints across this great Nation. With record passenger volumes, inefficient staffing models, and collaboration challenges with airports and airlines, the TSA has found itself stretched way too thin. The fact of the matter is that security effectiveness and efficiency are not mutually exclusive. Now that the summer holiday season is upon us, it is imperative that we move to alleviate the nightmarish scenarios that have been playing out at airports across the United States in recent months. Passengers should not be missing flights due to long security lines when they are arriving to the airport 2 hours prior to their flights. Similarly, airports should not be approaching an airport ground stop with no end related to TSA checkpoint lines. Also, they should not have to be sleeping overnight on cots, in airports, because of TSA snafus.

The House has already passed important legislation to expand TSA PreCheck, which is still awaiting passage in the Senate. Getting more passengers enrolled in PreCheck is essential to security and efficiency by identifying low-risk travelers and expediting them through screening. Today, we have the opportunity to act again and swiftly. When I came to Congress, I made a commitment to my constituents to tackle problems head-on and get things done. A few weeks ago, my colleagues and I had convened representatives from airports and airlines from across this country to discuss this wait time crisis and to hear directly from them what they think needs to be done to help. The message was consistent, and it was loud: the TSA needs to collaborate with individual airlines and airport authorities to coordinate sufficient staffing levels on a local basis. We heard their message. This bill will require the TSA to maximize all of its available resources and give airports, airlines, and labor organizations a seat at the table to ensure those resources are being utilized and allocated in the most effective and efficient manner.

The Checkpoint Optimization and Efficiency Act will make a meaningful impact in shortening the burdensome security wait times being experienced by Americans who travel through airports across this country. It is critical that Congress act to swiftly get this bill to the President’s desk. Specifically, this legislation deploys TSA assets, such as behavior detection officers, of which there are 3,000, and K-9 teams so that more personnel are made available to perform security screening. The bill grants additional flexibility to local TSA supervisors in order to empower them to make decisions on an airport-by-airport basis, rather than a top-down approach from TSA headquarters. This bill will also direct the TSA to undergo a comprehensive workforce assessment and report to Congress to ensure that the agency is deploying personnel in the most efficient manner. The TSA must also share its staffing practices with airport operators, airlines, and labor organizations in order to enhance the coordination between peak travel times, flight schedules, and TSA checkpoint staffing.

Mr. Speaker, this wait time crisis is an issue that touches airports across this great country, and a swift response to problems like this is what the American people sent us here to accomplish. This legislation implements commonsense practices while preventing a one-size-fits-all approach to aviation security. Above all, the bill explicitly states that security is paramount and that wait times should not be prioritized at the expense of effective security screening.

I thank the chairman of the full committee, Mr. McCaul, for his strong support of this legislation and for ensuring that it was a top priority for the committee. Additionally, I thank Ranking Member Rice and Representative KEATING for their bipartisan support on this bill. I also thank the ranking minority member on the Homeland Security Committee, my colleague who works with us in hand in hand and again on these matters, Mr. Thompson. We are here, before Congress, passing yet another bill in a bipartisan manner. This is what Congress is supposed to do, and I thank Mr. THOMPSON for his support. I also express thanks to each of the bill’s cosponsors for recognizing the importance of this issue.

Mr. Speaker, I reserve the balance of my time.
Mr. THOMPSON of Mississippi. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 5338, the Checkpoint Optimization and Efficiency Act of 2016. Over the past few months, the Transportation Security Administration has been scrutinized and criticized regarding wait times. As the peak travel season began, there were several reports of wait times that exceeded 2 hours. Those lengthy waits caused anxiety and disappointment among travelers. As a result, the prolonged wait times caused many passengers to miss their flights.

In response to this crisis, the Department of Homeland Security and the Transportation Security Administration took a series of immediate actions. The TSA deployed additional K-9 teams to screen passengers at checkpoints; it intensified its efforts to promote participation in the PreCheck program; it partnered more closely with airlines and airports; and it increased research and development efforts for technologies that will improve screening. This bill codifies many of those actions. However, it does not encompass
the entirety of the Department’s efforts to address the wait times crisis.

DHS Secretary Johnson also requested that $34 million in appropriations be reprogrammed from other TSA accounts to help cover the costs for overtime for airport part-time workers to full-time, and expediting the hiring of new transportation security officers. DHS’ request was approved. Just 2 weeks after the reprogramming, Secretary Johnson requested an additional infusion of cash to TSA operations of $28 million, and that reprogramming request is pending. The infusion of $34 million in additional resources into TSA security operations has had a tremendous impact on wait times at the Nation’s airports. In fact, during the Memorial Day weekend, most airports reported wait times of less than 30 minutes during peak time.

If the TSA is to maintain the operational gains that have been realized in recent weeks and keep wait times down, it will require Congress’ stepping up and providing resources. Even though the measures within this bill will codify much of what the TSA and the DHS are already doing to address the issue, the only way to achieve long-term measurable success is by giving the TSA the resources it needs on an ongoing basis.

The TSA’s current staffing is out of step with its own projection for volumes in fiscal year 2016. As you can see from the poster, the TSA’s staffing in fiscal year 2016 was 42,525 TSOs, which is nearly 2,500 fewer frontline staff than in fiscal year 2011. The TSA is expected to screen nearly 100 million more passengers in FY 2016, with about 2,500 fewer staff.

That is why I joined with Representative DeFazio and Representative Dold in introducing H.R. 5340, the FASTER Act, which is bipartisan legislation that directs the money that is collected from the 2% of passenger fares to be used to actually secure the Nation’s commercial aviation system. Unfortunately, a significant portion of the funds collected, which has totaled $12.6 billion over 10 years, is being diverted to offset the Federal budget. I urge Members to support H.R. 5340, the FASTER Act.

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

Mr. KATKO. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Ohio (Mr. JOYCE).

Mr. JOYCE. Mr. Speaker, I rise in support of H.R. 5338, the Checkpoint Optimization and Efficiency Act of 2016.

Every week, when I come and go from the Cleveland airport, I worry about the chaotic lines and the long wait times in security. I am glad for the opportunity to speak in support of legislation that intends to alleviate this ever-growing problem. I am increasingly hearing from constituents about the frustration of subjecting oneself to air travel. Traveling with children is even more stressful, as my wife and I can empathize with. Missing a flight because of ridiculously long lines at security is unacceptable. At the same time, we need a system that guarantees passenger safety.

It is all of our jobs here in Congress to ensure that our constituents are safe, and it is the responsibility of TSA officers to ensure travelers are thoroughly screened. This legislation will boost their efficiency in doing so. Reviewing the TSA’s staffing model is necessary to determine best practices and implement them as soon as possible. This legislation increases transparency and accountability. Examining big-picture problems with the current system and tackling the issues at the source will help to reduce passenger wait times and will ensure the safety of all of our constituents.

This legislation presents a commonsense approach in addressing the airport wait times. I urge my colleagues to support H.R. 5338.

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

Mr. KATKO. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Illinois (Mr. DOLD).

Mr. DOLD. I, certainly, thank my good friend from New York for yielding time to close.

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield myself the balance of my time to close.

Mr. Speaker, the measure under consideration will codify much of what the Department and TSA have been doing to address wait times at our Nation’s airports. Thankfully, through bipartisan negotiations on this measure, we were able to ensure that when local airport working groups are stood up, the voices of the airport operators, air carriers, and those who represent the men and women on the front lines of aviation security would be heard.

Also, I am pleased that the bill, as amended, takes a broader view on how the Behavior Detection Officer program, which is designed to disrupt family vacations and the like.

The current screening procedures need to be updated to ensure that we protect passengers from terrorist threats and to make sure that passengers are screened in the most efficient manner possible. This is, really, a two-pronged approach. In one, my friend from Mississippi talked about the FASTER Act, which is, again, trying to make sure that the resources that passengers pay are actually going toward the TSA to make sure that it has the manpower necessary to do the screening.

Today’s bill, the Checkpoint Optimization and Efficiency Act, will go a long way towards ensuring that the TSA updates the screening procedures to improve customer service at the Nation’s busiest airports. This bill will ensure that TSA position screeners are where they are needed most, which, I think, is absolutely critical. The bill will allow the TSA to reallocate K-9 teams to the Nation’s busiest airports or where they are needed. K-9 detecting teams are a vital tool in ensuring the quick and effective screening of passengers.

Mr. Speaker, just this last week, I was at O’Hare. I went down and had an opportunity to talk with some of the K-9 screeners in Chicago. One actually came from Fairbanks, Alaska, and the other one came in from Cincinnati.
I am pleased that Chairman Katko was receptive to repurposing this position, at the Federal Aviation Administration’s discretion, to an alternate position within TSA’s checkpoint screening functions.

I, once again, urge Members to support H.R. 5340, the FASTER Act, as it will ensure that TSA receives funding it needs to acquire and maintain staff and resources to efficiently carry out its mission without compromising security effectiveness.

I yield back the balance of my time.

Mr. KATKO. Mr. Speaker, I yield myself the balance of my time to close.

The threats facing our Nation’s aviation system are constantly changing and adapting. For this reason, TSA’s mission is not only difficult, but critical to the national security of the United States and the safety of traveling Americans.

I, again, wish to thank all of the bipartisan cosponsors of this legislation, and I urge my colleagues to support this bill.

I yield back the balance of my time.

Mr. McCaul. Mr. Speaker, the traveling public is suffering from staggeringly long airport wait times. As the busy summer travel season has begun, I am consistently hearing reports of missed flights, delays, and how much plus one TSA security checkpoints.

This bipartisan legislation includes meaningful reforms that the Homeland Security Committee has identified to address wait times, while making sure that the traveling public remains safe. I also want to encourage the Senate to act on other House-passed bills that would help alleviate checkpoint wait times.

TSA’s Admiral Neffenger testified before my committee that the provisions outlined in H.R. 5338 would help optimize checkpoints and reduce the burden on TSA and passengers. Our bill has also received overwhelming support from transportation stakeholders, such as the airport and airline community.

The Checkpoint Optimization and Efficiency Act redeploys TSA personnel to enhance staffing and increase operational capability, allowing more screening lanes to be open. The bill uses in a new era of transparency and accountability between TSA and its airport and airline stakeholders, while pushing continued expansion of TSA’s PreCheck program, which the House has already sought to expand with the passage of the TSA PreCheck Expansion Act.

Mr. Speaker, the President’s recent budget requests have failed to predict the resources that were needed to mitigate this problem before it started. In fact, last year, TSA gave $100 million back to the U.S. Treasury. Now, Secretary Johnson has had to ask Congress for reprogramming requests to alleviate the burden placed on TSA operations. While these reprogramming requests were necessary, I am pleased that this legislation will go a step further by reallocating existing assets in a much more effective way.

I wish to thank Chairman Katko for his leadership on this important issue, as well as each of the cosponsors of the bill. In particular, I wish to thank Ranking Member Rice and Representative Keating for lending their support to the bill and for their engagement and work on enhancing transportation security. I urge my colleagues to support this critical legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. Katko) that the House suspend the rules and pass the bill, H.R. 5338, as amended.

The question was taken; and (two-thirds being in the affirmative) the motion to suspend the rules and pass the bill, H.R. 5338, as amended, was agreed to.

A motion to reconsider was laid on the table.

HELPING HOSPITALS IMPROVE PATIENT CARE ACT OF 2016

Mr. TIBERI. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5273) to amend title XVIII of the Social Security Act to provide for regulatory relief under the Medicare program for certain providers of services and suppliers and increased transparency in hospital coding and enrollment data, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5273

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 “Helping Hospitals Improve Patient Care Act of 2016”.

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

TITLE I—PROVISIONS RELATING TO MEDICARE PART A

Sec. 101. Development of Medicare study for HCPCS version of MS-DRG codes for similar hospital services. Sec. 102. Establishing beneficiary equity in the Medicare hospital readmission program. Sec. 103. Five-year extension of the rural community hospital demonstration program. Sec. 104. Regulatory relief for LTCHs. Sec. 105. Savings from IPPS MACRA pay-for-through not applying documentation and coding adjustments.

TITLE II—PROVISIONS RELATING TO MEDICARE PART B

Sec. 201. Continuing Medicare payment under HOPD prospective payment system for services furnished by mid-build off-campus outpatient departments of providers. Sec. 202. Treatment of cancer hospitals in off-campus outpatient department of a provider policy. Sec. 203. Treatment of eligible professionals in ambulatory surgical centers for meaningful use and MIPS.

TITLE III—OTHER MEDICARE PROVISIONS

Sec. 301. Delay in authority to terminate contractors for Medicare Advantage plans failing to achieve minimum quality ratings.
year 2019, and before the application of clause (i) of subparagraph (A), the Secretary shall assign hospitals to groups (as defined by the Secretary under clause (ii)) and apply the methodology of this subsection using a methodology in a manner that allows for separate comparison of hospitals within each such group, as determined by the Secretary.

(ii) DEFINING GROUPS.—For purposes of this subparagraph, the Secretary shall define groups of hospitals based on their overall proportion of patients who are entitled to, or enrolled for, benefits under part A, who are full-benefit dual eligible individuals or are Medicare beneficiaries of Medicare Advantage (part D) plans. In defining groups, the Secretary shall consult the Medicare Payment Advisory Commission and may consider the analysis done by such Commission in preparing the portion of its report submitted to Congress in June 2013 relating to readmissions.

(iii) MINIMIZING REPORTING BURDEN ON HOSPITALS.—Except as required by this subsection, the Secretary shall not impose any additional reporting requirements on hospitals.

(iv) BUDGET NEUTRAL DESIGN METHODOLOGY.—The Secretary shall design the methodology to implement this subparagraph so that the estimated total amount of reductions in payments under this section equals the estimated total amount of reductions in payments that would otherwise occur under this subsection if this subparagraph did not apply.

(b) SUBSEQUENT ADJUSTMENTS BASED ON IMPACT REPORTS.—Section 1886(q)(3) of the Social Security Act (42 U.S.C. 1395ww(q)(3)), as amended by subsection (a), is further amended by adding at the end the following new clause:

"(ii) CONSIDERATION OF RECOMMENDATIONS IN IMPACT REPORTS.—The Secretary may take into account recommendations contained in its recommendations made by the Secretary under section 2(d)(1) of the IMPACT Act of 2007 (Public Law 110–90), as amended by sections 3106(b) and 10312(b) of Public Law 113–186, section 121 of the SGR Reform Act of 2013 (division B of Public Law 113–67), and section 112 of the Protecting Access to Medicare Act of 2014, by striking "The moratorium under paragraph (1)(A)" and inserting "Any moratorium under paragraph (1)".

2. EFFECTIVE DATE.—The amendment made by paragraph (a) shall take effect as if included in the enactment of section 112 of the Protecting Access to Medicare Act of 2014.

(b) MODIFICATION TO MEDICARE LONG-TERM CARE HOSPITAL HIGH COST OUTLIER PAYMENTS.—Section 1886(m) of the Social Security Act (42 U.S.C. 1395ww(m)) is amended by adding at the end the following new paragraph:

"(7) TREATMENT OF HIGH COST OUTLIER PAYMENTS.—(A) ADJUSTMENT TO THE STANDARD FEDERAL PAYMENT RATE FOR ESTIMATED HIGH COST OUTLIER PAYMENTS.—(B) LIMITATION ON HIGH COST OUTLIER PAYMENT AMOUNTS.—Notwithstanding subparagraph (A), the Secretary shall set the fixed local payment amount for high cost outlier payments such that the estimated aggregate amount of high cost outlier payments made for stand- ard Federal payment rate discharges beginning on or after October 1, 2017, shall be equal to 99.6875 percent of 8 percent of estimated aggregate payments for standard Federal payment rate discharges for each such fiscal year.

(C) WAIVER OF BUDGET NEUTRALITY.—Any reduction in payments resulting from the application of subparagraph (B) shall not be taken into account in applying any budget neutrality provision under such system.

(D) NO EFFECT ON SITE NEUTRAL HIGH COST OUTLIER PAYMENT INSTRUCTIVE.—The Secretary shall not apply with respect to the computation of the applicable site neutral payment rate under paragraph (6).

3. MODIFICATION TO THE MEDICARE PAY-FOR-EVIDENCE THROUGH NOT APPLYING DOCUMENTATION AND CODING ADJUSTMENTS.—Section 7(b)(1)(B)(ii) of the TMA, Abstinence Education, and QI Programs Extension Act of 2007 (Public Law 110–90), as amended by section 631(b) of the American Taxpayer Relief Act of 2012 (Public Law 112–24) and section 414(k)(B)(iii) of the Medicare Access and CHIP Reauthorization Act of 2015 (Public Law 114–10), is amended by striking "an increase in the standard Federal payment rate discharges occurring during each of fiscal years 2018 through 2023" and inserting "an increase in the standard Federal payment rate discharges occurring during each of fiscal years 2015 through 2023."
of 0.4500 percentage points for discharges occurring during fiscal year 2018 and 0.5 percentage points for discharges occurring during each of fiscal years 2019 through 2023.

TITLE III—PROVISIONS RELATING TO MEDICARE Part B

SEC. 201. CONTINUING MEDICARE PAYMENT UNDER HOPD PROSPECTIVE PAYMENT SYSTEM FOR SERVICES FURNISHED BY MID-BUILD OFF-CAMPUS OUTPATIENT DEPARTMENTS OF PROVIDERS.

(a) In General.—Section 13133(t)(21) of the Social Security Act (42 U.S.C. 1395l(t)(21)) is amended—

(1) in subparagraph (B)—

(A) in clause (i), by striking ‘‘clause (ii)’’ and inserting ‘‘the subsequent provisions of this subparagraph’’;

(B) by adding at the end the following new clauses:

‘‘(iii) Deemed treatment for 2016.—For purposes of applying clause (ii) with respect to applicable items and services furnished during 2017, a department of a provider (as so defined) not described in such clause is deemed to be billing under this subsection with respect to covered OPD services furnished prior to November 2, 2015, if the Secretary receives, not later than 60 days after the date of enactment of this clause, from the chief executive officer or chief operating officer of the department a written certification that before November 2, 2015, the provider received from the Secretary a determination under subsection (b) that the department met such requirements.

‘‘(iv) Alternative exception beginning with 2016.—For purposes of paragraph (1)(B)(v) and this paragraph with respect to applicable items and services furnished during 2018 or a subsequent year, the term ‘off-campus outpatient department of a provider’ shall not include a department of a provider (as so defined) not described in clause (ii) if the provider receives, not later than 60 days after the date of enactment of this clause, from the chief executive officer or chief operating officer of the department a written certification that the department met such requirements not later than 60 days after such date of enactment; or

‘‘(v) Deemed treatment for 2018.—For purposes of applying clause (ii) with respect to applicable items and services furnished during 2017, a department of a provider (as so defined) not described in such clause is deemed to be billing under this subsection with respect to covered OPD services furnished prior to November 2, 2015, if the Secretary receives, not later than 60 days after the date of enactment of this clause, from the chief executive officer or chief operating officer of the department a written certification that before November 2, 2015, the provider received from the Secretary a determination under subsection (b) that the department met such requirements.

‘‘(vi) Deemed treatment for 2019.—For purposes of applying clause (ii) with respect to applicable items and services furnished during 2018 or a subsequent year, the term ‘off-campus outpatient department of a provider’ shall not include a department of a provider (as so defined) not described in such clause if the provider receives, not later than 60 days after the date of enactment of this clause, from the chief executive officer or chief operating officer of the department a written certification that the department met such requirements.

(ii) Ambulatory Surgical Center.—For purposes of clause (i), by striking ‘‘Clause (ii)’’ and inserting the following:

‘‘No payment’’ and inserting the following:

‘‘[ ] and clause (vii) insofar as it relates to such department, and to the percentage point reduction under the provisions of subparagraphs (B) and (D) of subsection (a)(7) in the case of an eligible professional with respect to whom substantially all of the applicable items and services furnished by such professional are furnished in an ambulatory surgical center.’’.

‘‘(iii) Determination.—The determination of whether the professional is an eligible professional described in clause (ii) may be made on the basis of—

‘‘(I) the site of service (as defined by the Secretary); or

‘‘(II) an attestation submitted by the eligible professional.

Determinations made under subclauses (I) and (II) shall be made without regard to any employment or billing arrangement between the eligible professional and any other supplier or provider of services.

‘‘(iv) Sunset.—Clause (ii) shall no longer apply as of the first year that begins more than 3 years after the date on which the Secretary determines, through notice and comment rulemaking, that certified EHR technology applicable to the ambulatory surgical center setting is available.’’.


(1) In General.—Section 1848(o)(2)(D) of the Social Security Act (42 U.S.C. 1395w-4(a)(7)(D)) is amended—

(A) by striking ‘‘Hospital-Based—No payment’’; and

(B) by adding at the end the following new clause:

‘‘(II) Ambulatory Surgical Center-Based Eligible Professionals.—In applying subparagraph (E), the Secretary shall audit the compliance of a department of a provider that meets such requirements not later than 60 days after such date of enactment with respect to the applicable items and services furnished by such professional with respect to whom substantially all of the applicable items and services furnished by such professional are furnished in an ambulatory surgical center.’’.

(c) Effective Date.—The amendments made by this section shall be effective as if included in the enactment of section 603 of the Bipartisan Budget Act of 2015 (Public Law 114-74).

SEC. 202. TREATMENT OF CANCER HOSPITALS IN OFF-CAMPUS OUTPATIENT DEPARTMENT EXPENSES.

(a) In General.—Section 13133(t)(21)(B) of the Social Security Act (42 U.S.C. 1395l(t)(21)(B)) is amended by section 201(a), is amended—

(1) by inserting after clause (v) the following new clause:

‘‘(vi) Exclusion for Certain Cancer Hospitals.—For purposes of paragraph (1)(B)(v) and this paragraph with respect to applicable items and services furnished by hospitals described in subsection (a)(1)(B)(v), in the case of a hospital that—

(I) is a hospital described in section 1886(d)(1)(B)(v) and—

(ii) was a department of a provider (as so defined) not described in such clause is deemed to be billing under this subsection with respect to covered OPD services furnished prior to November 2, 2015, if the Secretary determines, through notice and comment rulemaking, that the department met such requirement.

‘‘(II) in the case of a department that meets such requirements after such date of enactment, the Secretary receives from the provider an attestation that such department met such requirements not later than 60 days after such date of enactment; or

‘‘(III) in the case of a department that meets such requirements after such date of enactment, the Secretary receives from the provider an attestation that such department met such requirements not later than 60 days after the date of such attestation; and

‘‘(IV) in the case of a department that meets such requirements after such date of enactment, the Secretary receives from the provider an attestation that such department met such requirements not later than 60 days after such date of enactment; or

‘‘(V) in the case of a department that meets such requirements after such date of enactment, the Secretary receives from the provider an attestation that such department met such requirements not later than 60 days after such date of enactment.

(2) in clause (vii), by inserting after the term ‘hospital’ the following:

‘‘and services described in paragraph (21)(C) with respect to which the department meets such requirements that are not otherwise entitled to payment under this subsection.’’.

(b) Effect of Determination.—The amendments made by this section shall be effective as if included in the enactment of section 603 of the Bipartisan Budget Act of 2015 (Public Law 114-74).
authority of the Centers for Medicare & Medicaid Services (CMS) to terminate Medicare Advantage plan contracts solely on the basis of performance of plans under the STARS rating system.

(b) **Delay in MA Contract Termination Authority for Plans Failing To Achieve Minimum Quality Ratings.**—Section 1857(h) of the Social Security Act (42 U.S.C. 1395w–27(h)) is amended by adding at the end the following new paragraph:

"(5) **Delay in Contract Termination Authority.**—During the period beginning on the date of the enactment of this paragraph and through the end of plan year 2018, the Secretary may not terminate a contract under this section with respect to the offering of an MA plan by a Medicare Advantage organization solely because the MA plan has failed to achieve a minimum quality rating under the 5-star rating system under section 1853(o)(4)."

**SEC. 302. REQUIREMENT FOR ENROLLMENT DATA REPORTING FOR MEDICARE.**

Section 1874 of the Social Security Act (42 U.S.C. 1395kk) is amended by adding at the end the following new subsection:

"(6) **Requirement for Enrollment Data Reporting.**—

"(1) **In general.**—Each year (beginning with 2016), the Secretary shall submit to the Comptroller General of the United States and to the Senate Finance Committee and the House Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a report on Medicare enrollment data (and, in the case of part A, on data on individuals receiving benefits under such part) as of a date in such year specified by the Secretary. Such data shall be presented—

"(A) by Congressional district and State; and

"(B) in a manner that provides for such data based on—

"(i) fee-for-service enrollment (as defined in paragraph (2));

"(ii) enrollment under part C (including separate for aggregate enrollment in MA–PD plans and aggregate enrollment in MA plans that are not MA–PD plans); and

"(iii) enrollment under part D.

"(2) **Fee-for-service enrollment defined.**—In this subsection, the term ‘fee-for-service enrollment’ means aggregate enrollment (including receipt of benefits other than through enrollment) under—

"(A) part A only;

"(B) part B only; and

"(C) both part A and part B.

"**SEC. 303. UPDATING THE WELCOME TO MEDICARE PACKAGE.**

(a) **In general.**—Not later than 12 months after the last day of the period for the request of information described in subsection (b), the Secretary of Health and Human Services shall, taking into consideration information collected pursuant to subsection (b), update the information included in the Welcome to Medicare package to include information, presented in a clear and simple manner, about options for receiving benefits under the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.), including through the original Medicare fee-for-service program under parts A and B of such title (42 U.S.C. 1395 et seq.), Medicare Advantage plans under part C of such title (42 U.S.C. 1395w–2 et seq.), and prescription drug plans under part D of such title (42 U.S.C. 1395w–2201 et seq.). The Secretary shall make subsequent updates to the information included in the Welcome to Medicare package as appropriate.

(b) **Request for information.**—Not later than six months after the date of the enactment of this Act, the Secretary of Health and Human Services shall request information, including recommendations from stakeholders (including patient advocates, issuers, stakeholders, and other interested parties) included in the Welcome to Medicare package, including pertinent data and information regarding enrollment and coverage for Medicare beneficiaries and Medicare enrollees.

**The SPEAKER pro tempore.** Pursuant to the rule, the gentleman from Ohio (Mr. TIBERI) and the gentleman from Washington (Mr. MCDERMOTT) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio, **GENRAL LEAVE.**

Mr. TIBERI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks, in the Welcome to Medicare package to include extraneous material on H.R. 5273.

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

There was none.

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

Today I rise in support of H.R. 5273, the Helping Hospitals Improve Patient Care Act, or ‘HIP-C Act. This bill truly represents a landmark effort, and I want to thank the distinguished gentleman from Washington State (Mr. MCDERMOTT) for working with me on this bill. The bill also fully represents what the Speaker has often called true regular order.

Prior to introducing H.R. 5273, the Ways and Means Committee held three hearings on topics included in the bill during the 114th Congress, and the committee recently marked up the bill in a unanimous way.

H.R. 5273 strikes the right balance of preserving site-neutral payment policy, which I support, and providing essential relief for hospitals that were caught up in this policy change from last year’s legislation. Specifically, this bill helps many hospitals around the country and in my State of Ohio, including a facility by OhioHealth and Nationwide Children’s Hospital that was started a year ago, last summer, and will benefit from full outpatient payments under the bill, as they had planned to when they dug the hole for their facility.

Further, the James Cancer Hospital, part of my alma mater at Ohio State University, will have their cancer designation program approved by the bill, along with other designated cancer centers.

The bill also touches on three very important themes in the Medicare program: One, giving providers regulatory relief; two, ensuring access in rural areas; and three, protecting Medicare beneficiaries’ access to that important service that people like my mom and dad count on.

Under the topic of regulatory relief, we have included three Ways and Means priorities: First, Representative DIANE BLACK’s bill that provides physicians who primarily practice medicine in ambulatory sur-

ical centers relief in the electronic health records program; Representative VERN BUCHANAN’s bill, ensuring full access to Medicare advantage plans; and finally, Representative MIKE KELLY’s bill requiring fair and transparent reporting by companies that disband or the enrollment of beneficiaries in both the traditional fee-for-service Medicare and Medicare Advantage programs. All of these priorities have previously passed the House during the 114th Session.

Under the topic of access in rural areas, the bill allows for continuation and expansion of participation in the Rural Community Hospital Demonstration Program. Championed by my colleagues, Dr. McDERMOTT and Representative PAT MEEHAN.

Finally, the bill includes two important Member priorities that advance important Medicare hospital issues. The first requires the Secretary to ensure there is proper adjustment for socio-economic factors. The gentleman from Ohio (Mr. RENacci) has championed this issue for some time. Representative JM RENacci’s policy ensures that the hospital readmissions programs provides an apples-to-apples comparison based on the specific patient population a hospital treats.

The second priority, led by my colleague, PAUL RYAN, is the establishment of a crosswalk of hospital codes. Back when Speaker RYAN was the chairman of the Ways and Means Committee, he actively pursued Medicare hospital issues. His crosswalk is an important building block of a future system that promises to modernize the operation of hospital services.

I encourage my colleagues to pass this legislation, send it to the Senate, and let’s get this to the President’s desk.

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

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

Today I rise in support of the Helping Hospitals Improve Patient Care Act. This bill makes important changes that will help hospitals continue to provide high-quality care to patients as they implement the recent payment reforms.

This is a bipartisan effort, and I want to thank the distinguished Member from Ohio (Mr. TIBERI).

I thank the chairman for his willingness to collaborate on this bill. I also thank the staff of the Ways and Means Committee for their hard work in helping us come to an agreement on language that Members of both parties
can fully support. This final bill isn’t perfect, but it is truly a bipartisan product that reflects the spirit of compromise.

Whenever we head back to our districts, we all hear from our hospitals about the effects that our policies are having. Although we made a smart change to hospital payments when we passed the Bipartisan Budget Act last year, we are beginning to recognize the unintended consequences of the legislation. We did not really expect anything that is happening.

Many hospitals that were in the process of constructing outpatient departments will be hit with unexpected payment cuts due to the BBA. In addition, many cancer hospitals would be harmed by the new payment rules. This bill fixes these problems in a narrowly tailored way that doesn’t undermine the goals of the BBA.

Moving forward, hospitals will no longer be encouraged to consolidate by buying up physician practices for the purpose of billing Medicare at an inflated rate. This is consistent with the recommendations of a GAO report that was released last year. But facilities that were under development when we passed the BBA, as well as cancer hospitals, will be protected from these changes. This isn’t a giveaway to hospitals. The industry will pay the full cost.

In addition, this bill makes refinements to the readmissions reduction program. To ensure that hospitals that serve a large number of low-income patients are not unfairly penalized, the bill will require CMS to make apples-to-apples comparisons between similar facilities. As we wait additional data that will soon be available thanks to the IMPACT Act, this will ensure that the hospitals are not hit with undeserved penalties because of a flawed methodology.

Finally, I am happy that we are also able to come to an agreement on a bipartisan improvement to the beneficiary enrollment process. Each year, thousands of people enroll in Medicare; and thanks to this bill, seniors will have more information about their benefit options when they become eligible for Medicare. Providing complete and easy-to-understand information is critical. The decisions that beneficiaries make when they enroll in Medicare have serious, long-term implications, including a potential lifetime penalty if they fail to sign up for part B. This bill will also help beneficiaries make informed decisions by improving the welcome to Medicare package.

I, again, thank my colleagues on both sides of the aisle for working together on this bill. I am pleased we were able to craft a bipartisan compromise and continue working together on these and other important issues in the weeks ahead.

I reserve the balance of my time.
supportive of this legislation: Aultman, headquarters in his district in Canton; the Cleveland Clinic, Kettering Health Network in the Dayton area; Mercy Canton Sisters of Charity; MetroHealth System in Cleveland; OhioHealth, headquartered in Columbus; Ohio State University Wexner Medical Center in Columbus; the University of Cincinnati Health System in Cincinnati; and University Hospitals, headquartered in Cleveland. As was mentioned, this legislation passed the Committee on Ways and Means in a bipartisan manner.

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

Mr. MCDERMOTT. Mr. Speaker, occasionally we have an extra minute on the floor, and it makes sense to acknowledge some people that we trust and rely upon and we don’t ever mention, so I would like to just say thank you to the Democratic staff: Sarah Levin, Melanie Eder, Daniel Fossett, JC Cannon, and Daniel Jackson; on the Republican side: Emily Murry, Lisa Grabert, Nick Uehlecke, Taylor Trott; to the staff at the CMS who helped put this bill together: Ira Burningham, Anne Scott, Lisa Yen. And to the staff at legislative counsel: Ed Grossman—Ed has been there as long as I have been here, so any bill that gets out of here without Ed looking at it is a pretentious bill—and Jessica Shapiro is his assistant.

The Congressional Budget Office gets in on these deals as well: Tom Bradley, Lori Houseman, Kevin McNells, and Jamease Kowalczyk. I am from Chicago. I should be able to pronounce a Polish name. We appreciate their hard work.

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

Mr. DAVIES. Mr. Speaker, let me just close by saying thank you to Dr. McDermott. It has been enjoyable to work with his team, led by Amy, and we appreciate the bipartisanship. You mentioned all those names—stole my thunder. Emily and her team, and my staff, White House Daffner, Ali-gail Finn, too, for yeoman’s work.

Mr. Speaker, I urge a unanimous vote.

I yield back the balance of my time.

Mr. BRADY of Texas. Mr. Speaker, I rise today in support of H.R. 5273, the Helping Hospitals Improve Patient Care Act of 2016.

First, I’d like to thank Chairman TIBERI and Ranking Member McDermott for their leadership of this legislation.

At the Ways and Means Committee, we are working to deliver health care solutions that will expand access, increase choices, and improve the quality of care for the American people.

The Helping Hospitals Improve Patient Care Act helps advance all three of those goals. And the bill does so in a fiscally responsible manner that helps strengthen and preserve Medicare for the long-term.

At its core, this bipartisan legislation is about supporting the delivery of high-quality, affordable care to families and seniors throughout the country. It will especially help people who live in low-income and rural communities.

Our bill includes straightforward solutions to help hospitals and health care providers transition to—and preserve—the new site-neutral payment policies. This will give providers the certainty they need to best serve their patients, now and into the future.

This is an excellent illustration of what we can accomplish through regular order. It’s the product of many innovative solutions, proposed by many members on both sides of the aisle.

The solutions in this bill will make a real difference when it comes to the delivery of high-quality care for the people of our districts.

In fact, the University of Texas’ MD Anderson Cancer Center located in Houston has already embraced this bill. MD Anderson officials said, “This enhances our ability to continue providing the highest quality and level of cancer care to patients in the communities we serve.”

And MD Anderson is just one of many hospitals and cancer treatment centers throughout the country that we help with H.R. 5273.

This bill is particularly personal for me because it builds from the hospital discussion draft I released as Health Subcommittee Chairman back in November 2014.

In the Helping Hospitals Improve Patient Care Act, we pursue critical building blocks of that discussion draft.

First, Speaker Ryan’s crosswalk bill that better coordinates care between inpatient and outpatient settings.

Second, Congressman Jim Renacci’s readmission policy, which helps hospitals in low-income communities serve their patients.

There are still many policies from our hospital discussion draft that are worthy of debate. We’ll continue to work with Members and stakeholders to pursue additional reforms that make our health care system work better for patients and providers in our communities.

I’m grateful to all the members—on and off our committee—who worked hard to craft and advance the Helping Hospitals Improve Patient Care Act.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. TIBERI) that the House suspend the rules and pass the bill, H.R. 5273, as amended.

The question is 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.

SUPPORTING GOAL OF ENSURING ALL HOLOCAUST VICTIMS LIVE WITH DIGNITY, COMFORT, AND SECURITY

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 129), expressing support for the goal of ensuring that all Holocaust victims live with dignity, comfort, and security in their remaining years, and urging the Federal Republic of Germany to reaffirm its commitment to this goal through a financial commitment to comprehensively address the unique healthcare and other vital life-sustaining services that allow them to live their final years with comfort and dignity.

Whereas Holocaust victims often lack family, support networks and require social worker-supported case management in order to manage their daily lives and access government funded services;

Whereas in response to a letter sent by Members of Congress to Germany’s Minister of Finance in December 2015 regarding increased funding for Holocaust victims, German officials acknowledged that recent experience has shown that the care financed by the German Government to date is insufficient’’ and that “it is imperative to expand these arrangements in response to the advanced age of many of the affected persons’’;
Whereas German Chancellor Konrad Ade
nauer acknowledged in 1951 Germany’s re
sponsibility to provide moral and financial com
pensation to Holocaust victims world-
wide;
Whereas every successive German Chan
cellor has reaffirmed this position, including
Chancellor Angela Merkel, who in 2007 re
affirmed Germany’s full acceptance of
its responsibility during this most appalling
period and for the cruellest crimes in its his-
tory, can Germany shape the future?;
Whereas in 2015 Chancellor Merkel’s
spokesperson again confirmed “all Germans
know the history of the murderous race
mania of the Nazis that led to the break with
civilization that was the Holocaust. We
know that responsibility for this crime
against humanity is German and very much
our own’’; and
Whereas Congress believes it is Germany’s
moral and historical responsibility to com
prehensively, permanently, and urgently
provide the resources for all Holocaust vic
tems’ medical, mental health, and long-term
care needs; Now, therefore, be it

Resolved by the House of Representatives (the
Senate concurring), That Congress—
(1) recognizes the financial and moral com
mitment of the Federal Republic of Ger-
many over the past seven decades to provide
a measure of justice for Holocaust victims;
(2) acknowledges the ongoing process of ne
gotiations between the Federal Republic of
Germany and the Conference on Jewish Ma
terials of the Federal Republic of Germany (Claims Con
ference) in order to secure funding for Ho-
locaust victims and for vital social services
provided through nonprofit organizations
and agencies around the world;
(3) applauds the nonprofit organizations
and agencies that work tirelessly to honor
and assist Holocaust victims in their com
munities;
(4) acknowledges the ongoing process of ne
gotiations that have been taking place be-
tween Germany and the Claims Conference
in order to secure funding for Holocaust
victims and for vital social services provided
to children of Holocaust survivors world-
wide;
(5) acknowledges that the Federal Republic
of Germany and the Claims Conference have
established a new high-level working group
that will develop proposals for extensive as
sistance for homecare and other social wel
fare needs of Holocaust victims; and
(6) urges the working group to recognize
the immediate and long-term needs of those
survivors who have lived in the shadow of
the destruction of their relatives and their
beloved homes.

This resolution, simply put, Mr. Speaker,
urges Germany to honor its com
mitment of the Federal Republic of Ger-
many to continue to reaffirm its commitment
and fulfillment its responsibility to Holocaust
victims by ensuring that every Holocaust
victim receives all of the prescribed medical
and medical care, mental health care, and
other vital services necessary to live in dig
nity and by providing, without delay, addi
tional financial resources to address the
unique needs of Holocaust victims.

The SPEAKER pro tempore. Pursu
ant to the rule, the gentleman from Florida (Ms.
Ros-Lehtinen) and the gentleman from Florida (Mr. Deutch)
each will control 20 minutes.

The Chair recognizes the gentle
woman from Florida.

Ms. ROS-LEHTINEN. Mr. Speaker, I
ask unanimous consent that all Mem
bers may have 5 legislative days to re
vise and extend their remarks and to
include extraneous material on this res
olution.

The SPEAKER pro tempore. Is there
ejection to the request of the gentle
woman from Florida?

The Chair recognizes the gentle
man from Florida.

Mr. Speaker, first I would like to
thank my good friend and south Flor
ida colleague, Mr. Ted Deutch, for
his work on this resolution and for co
introducing it together. It is an im
portant resolution, Mr. Speaker. I also
want to thank our chairman, Chairman
Royce, and the ranking member, Mr.
Engel, for always working in a bipar
tisan manner, for recognizing the im
portance of this resolution, and for
moving this bill out of our Committee
on Foreign Affairs in an expeditious
manner.

This resolution, simply put, Mr.
Speaker, urges Germany to honor its
moral and historical obligations to
Holocaust survivors and to provide for
their unmet needs immediately and
comprehensively. I know that for Mr.
Deutch and for me, this is an issue
that deeply impacts many of our con
stituents in south Florida.

There are just over 500,000 Holocaust
survivors worldwide. About a quarter
of that number live right here in the
United States, with over 15,000 living in
our south Florida communities, Mr.
Speaker. I have had the honor and
privilege to work closely with sur
vivors from south Florida, many of
whom I have come to call dear friends:
your friends in Germany, our good part
ners in Germany, to honor the obliga
tions and the commitments that they
have made to provide for the needs of
Holocaust survivors.

German Governments have provided
some support through income assist
ance programs and have doubled fund
ing for home care services in the past 5
years, so they are trying. They want to
do better. In fact, even by Germany’s
own admission, the care financed by
the German Government to date has
been insufficient for those in need of
intensive long-term care.

Mr. Speaker, because of the horrors
that these survivors have endured and
the emotional and physical scars they
continue to carry with them, their med
ical, mental, and home care needs are
far more complex, far more exten
sive than those of other elderly individ
uals.

There are also many more to thank,
those who have championed the needs
of Holocaust survivors as a top pri
ority, who have elevated the cause of
justice for Holocaust survivors to the
world stage.

Mr. Speaker, I reserve the balance of
my time.
to Washington to educate and testify in Congress shaped this very effort; and Norman Frajman, whose dedication to educating students in our own community helped ensure that they will never forget.

My friend, Congresswoman ROS-LEHTINEN, mentioned so many of the people that she is so close to. I want to thank her for giving me the opportunity and the blessing of getting to know and spend time with David Schaecter, David Mermelstein, and others.

It breaks my heart that today in the United States there are tens of thousands of survivors who live in poverty and cannot afford, and thus do not receive, sufficient medical care, home care, and other vital life-sustaining services. Today we have an opportunity to send a clear message that these survivors, who made it through the darkest time in history, deserve to live out their lives with the dignity that they are so worthy of and have long been promised.

Some of my colleagues might wonder: Why is this resolution needed? It is simple: Holocaust survivors are not receiving the care that they need. For decades, the German Government has remained committed to funding survivor needs. This is something I know Chancellor Merkel cares a great deal about, as she has reaffirmed that commitment. But the survivor population is aging into their eighties, their nineties, and hundreds. Their needs are greater.

Unfortunately, despite the payments of the German Government over decades, significant gaps in survivor care remain. And German officials have acknowledged that shortfall. Right now there are special negotiations going on with the German Government. In the coming days, decisions will be made in Berlin that will determine whether or not survivors will receive the funding and the care that they so desperately need.

But I am worried. I am worried that time is running out. I am worried that this is our last chance to ensure that, once and for all, survivors have what they need. Every survivor deserves to receive the care needed to live in comfort.

So many survivors are struggling. And, brain, while we appreciate the decades-long commitment of the German Government, I am not certain that our ally, Germany, understands the scope of the true need—the needs that Chairman ROS-LEHTINEN and I see in our communities in south Florida every day. That is why the passing of this resolution here will send a message that is unmistakable; and that is that Congress is fully united.

We stand at a decisive moment in the lives of our aging survivor population. Each month it seems that there is another funeral in my community and another survivor passes. So it is with a heavy heart that we must acknowledge that these current negotiations are likely the last opportunity for Germany to comprehensively address the unique health and welfare needs of survivors before it is too late.

Mr. Speaker, the resolution before us today recognizes Germany’s past to fulfill the financial commitment to the victims of the Holocaust. The shortfall is the most dramatic when it comes to home care. For survivors, the need to stay in their homes as they age is critical. The thought of being institutionalized removed from their home is a devastatingly painful reminder of the past. As they age, they rely more on home care services.

Under the current system, home care is capped so that even the most infirmed, isolated, and poor Nazi victims can only receive a maximum of 25 hours of home care per week. That is 5 hours a day for 5 days a week. There is no funding for additional hours. In their eighties, they require assistance with all of the activities of daily living. He now needs round-the-clock care, but the current funding system does not provide it.

Many of those who survived also lack sufficient medical care to help them live out the remainder of their days with dignity. No more limitations on home care hours. Complete the negotiations. And fund the needs now, once and for all.

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

Ms. ROS-LEHTINEN. Mr. Speaker, I reserve the balance of my time.

Mr. DEUTCH. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. ROS-LEHTINEN). Mr. Speaker, I thank my friend, TED DEUTCH, for his leadership, and also my good friend, ILEANA ROS-LEHTINEN, the Florida twins who have so steadfastly brought this matter of conscience and history to the floor of the House of Representatives.

It was said about the Holocaust that “we should never forget” and “never again.” What a legacy it would be that those who survived the darkest chapter of human history should live out the remainder of their years in want—in want of basic medical care, in want of home health care and caregiving so that they have dignity in their twilight years.

How can we ignore that plight? How can we say to that generation, You should go without?

They are living reminders of the dark side of human nature. History can go so terribly wrong. Honoring them with this resolution and engaging our partner, our ally, Germany, in this one last endeavor is a noble cause.

I am pleased to support H. Con. Res. 129, and I applaud the leadership of my colleagues from Florida in reminding this House of the duty still in front of us.

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

Mr. Speaker, today we are talking about the frailest people in our community who have endured the worst, most unimaginable horrors. They are people whose entire families were destroyed.

Mr. Speaker, Hitler tried to destroy them. He succeeded in killing millions, but his goal was genocide. His goal was to wipe the Jewish people from the face of the Earth.

We can’t imagine the magnitude of that evil, but we have just a few years left with those who managed to survive, to escape death—sometimes multiple times—to endure concentration camps when everyone around them was sent to the gas chambers, and to flee to European countryside killing—and mass killings—again and again and again.

For them to live through all of that, to survive all of that, should we tell them that we are sorry, we must cap the amount of care you can receive in your home? Or that the social service agencies and their employees and their volunteers who know what their clients need should tell them to need less?

Mr. Speaker, let’s pass this resolution and tell every person sitting at the negotiating table in Berlin that we will not accept half measures. The German Government has reiterated its moral obligation to act. This resolution calls for action. The time to act is now. Survivors of the Holocaust deserve dignity.

I would like to again thank my dear friend and fierce advocate for survivors, Congresswoman ILEANA ROS-LEHTINEN. We have stood together on this behalf for years. She is so fortunate to know, so privileged to have in our community, and tell them that Congress passed a resolution to make them feel better. They don’t need symbolism.

What I will tell them is that the United States House of Representatives overwhelmingly spoke on their behalf—
a group that 80 years ago had no one speaking for them. And we expect the German Government to hear what we are saying.

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

Mrs. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may constitute.

I want to thank Mr. DEUTCH and Mr. CONNOLLY. What a joy it has been for me to have worked with them, especially with my twin. The poor guy. That was a low blow by Mr. CONNOLLY. Mr. DEUTCH might not forgive him for that. But what heartfelt words from Mr. DEUTCH. I thank him for that.

We are indeed fortunate, Mr. Speaker, that we have so many constituents in our districts for whom this issue is so important. We are blessed that we have so many Holocaust survivors in our districts. But, sadly, as Mr. DEUTCH, Mr. CONNOLLY, and I have pointed out, time is of the essence. These survivors are passing away without the urgent care that they have been promised and without the comforts that they need.

So I want to close by saying, Mr. Speaker, just how important this measure is. Mr. DEUTCH talked about how our constituents are watching in south Florida. And it is so true. How important it is that we send a clear message to the German Government that time is of the essence.

For over 70 years, Holocaust survivors have had to live with the painful memories and the toll that their experiences have had on their minds and their bodies.

Successive German Governments have acknowledged Germany’s responsibility for the Nazi regime’s atrocities. Most recently, Chancellor Merkel’s office stated: "We know the responsibility for this crime against humanity is German and very much our own." I agree with Chancellor Merkel’s office. We don’t have time for negotiations, Mr. Speaker. How long will those negotiations take while, every day, yet another Holocaust survivor passes away.

We don’t need Germany to engage with the bureaucratic nightmare that is the Claims Conference. This was a process that was set up to deal with these issues, but it has not worked out that way. Why add another layer to the process when Germany can and should provide this assistance directly?

The proof that this Claims Conference process has been nothing short of an abject failure is that nearly half of the money, Mr. Speaker, are living at or below the poverty level. Under this current system, many have died well before their time as a result of this current broken system, to say nothing about the fraud, the corruption, the abuse, and embezzlement that has been documented.

Mr. Speaker, the Claims Conference has failed to live up to its mandate to advocate and work on behalf of survivors. The Claims Conference provides artificial caps on survivors’ needs. When those caps are reached, good luck.

Just recently, a survivor from our own area right here in Florida was told by a local social worker that the Claims Conference would no longer fund her Lifeline button. This woman lives alone, Mr. Speaker. She needs this service, but she was cut off.

The Conference stops assistance for many, and survivors receive no assistance at all, while their pleas fall on deaf ears.

With the Claims Conference, there is no transparency, little accountability, and a shocking disregard for the actual experiences have had on their minds and the toll that their experiences have had on their minds and their bodies.

I urge colleagues to join Mr. DEUTCH and me in urging Germany to fund, directly and comprehensively, all of the needs of survivors like it has pledged. There is no time to waste. Mr. Speaker, I yield back the balance of my time.

Mr. ROYCE. Mr. Speaker, I want to thank Chairman ROS-LEHTINEN and Ranking Member DEUTCH for their work on this resolution, and their continued work on Holocaust issues.

The horrors wrought by the Nazi regime did not end when prisoners finally walked out from behind the barbed wire fences in 1945. Today, the after-effects of Hitler’s death camps still haunt the lives of those who survived. Tens of thousands of Holocaust survivors throughout the world live in poverty, forced to choose between feeding themselves and purchasing necessary medication.

The problem is staggering. Five hundred thousand survivors remain—most of them in their 80s. Today, more than one in four lack sufficient access to the care they need to live their final years in comfort and in dignity.

For decades, Germany has instated and funded a number of aid programs in recognition of its obligation to these survivors. However, Germany’s resolutions made clear that more needs to be done.

We urge the German government to immediately and fully fund programming for victims’ medical, mental health, and long-term care needs.

Time is of the essence. Every day that decisions are stalled, we lose another survivor, another story, another chance to show our respect for these individuals who have already endured what no one should.

Today’s resolution recognizes the moral imperative for us all of us—to work to ensure a life of dignity, security, and comfort for Holocaust survivors.

Mr. SMITH of New Jersey. Mr. Speaker, I rise in strong support of H. Con. Res. 129, urging the Federal Republic of Germany to further fulfill its commitment to support the welfare of Holocaust survivors by ensuring that they receive the medical, mental health, and long-term care they require.

In 1952, the West German government concluded an agreement with representatives from Jewish organizations and the State of Israel to provide indemnification and restitution directly to survivors of the Holocaust. This agreement reflected an overdue but basic recognition at the time by many, including then-German Chancellor Konrad Adenauer, that restitution as, quote, “easing the way to the spiritual settlement of infinite suffering.”

Mr. Speaker, that infinite suffering inflicted by the genocidal Nazi regime continues to this day. It is a daily reality for the aging survivors of that infamous crime who live with the mental and sometimes physical consequences of being tortured and abused.

There are over 500,000 Holocaust survivors living around the world today, and over 100,000 live here in the United States—witnesses to both the stunning evil and miraculous resilience of what humanity is capable. Their quiet presence in our midst is a treasure seldom sufficiently cherished. Today, as they age, they are increasingly in need of support and assistance that will allow them to live their remaining days with access to quality care and the peace that comes with it.

Mr. Speaker, I support H. Con. Res. 129 because I think it is right that the Federal Republic of Germany deliver direct support to Holocaust survivors to guarantee that they live the rest of their lives with the dignity, comfort, and security that was deprived them decades ago.

The resolution calls on the German government to take every effort—whether through direct assistance or negotiated arrangements—to support the medical, mental health, and long-term care needs of Holocaust victims. This support would be fully consistent with the German government’s longstanding commitment to Holocaust survivors and it cannot wait.

It is important, Mr. Speaker, to also note the important steps already taken by the Federal Republic of Germany and the tremendous efforts and achievements it has made in making amends for the genocide committed under the Nazi dictatorship. H. Con. Res. 129 urges Germany to continue on this path and as such deserves our support in the House.

Finally, I would like to thank my friend and colleague Rep. LEANA ROS-LEHTINEN, for introducing this laudable resolution.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.
Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4906) to amend title 5, United States Code, to clarify the eligibility of employees of land management agencies in a time-limited appointment to compete for a permanent appointment at any Federal agency, and for other purposes.

The Clerk read the title of the bill.

The text of the bill as follows:

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

SECTION 1. ELIGIBILITY OF EMPLOYEES IN A TIME-LIMITED APPOINTMENT TO COMPETE FOR A PERMANENT APPOINTMENT AT ANY FEDERAL AGENCY.

Section 9602 of title 5, United States Code, is amended:

(1) in subsection (a) by striking “any land management agency or any other agency (as defined in section 101 of title 31) under the internal merit promotion procedures of the applicable agency” and inserting “such land management agency or such agency accepting applications from individuals within the agency’s workforce under merit promotion procedures, or any agency, including a land management agency, when the agency is accepting applications from individuals outside its own workforce under the merit promotion procedures of the applicable agency”;

(2) in subsection (d) by inserting “of the agency from which the former employee was most recently separated” after “deemed a former employe”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oklahoma (Mr. RUSSELL) and the gentleman from Virginia (Mr. CONNOLLY) each will control 20 minutes.

The Chair recognizes the gentleman from Oklahoma.

GENERAL LEAVE

Mr. RUSSELL. 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 the bill under consideration.

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

There was no objection.

Mr. RUSSELL. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, the Land Management Workforce Flexibility Act enacted last year removed a barrier to the career advancement opportunities of long-serving temporary and seasonal employees of land management agencies across the Federal Government.

I want to thank my friend from Virginia (Mr. CONNOLLY) for his companion work in the Committee on Oversight and Government Reform. I am proud to not only support it, but I authored the legislation in the national defense authorization.

The bill we are considering today makes a technical correction that is necessary due to recent guidance of the Office of Personnel Management, or OPM. H.R. 4906 clarifies that Congress intended to remove restrictions on temporary seasonal employees that would otherwise hinder their ability to compete for merit promotion vacancies open to other Federal employees.

Seasonal work of land management agencies is accomplished by a mix of both permanent and temporary employees. Before the Land Management Workforce Flexibility Act, regardless of how many years temporary employees could not compete for permanent jobs under the merit promotion procedures available to other Federal employees. Under the bill enacted last year, long-serving temporary employees were given this opportunity, and their employing agencies are provided with better applicant pools as a result.

For instance, experienced seasonal wildland firefighters are well qualified for permanent roles within agencies that work to combat wildfires. Mr. Speaker, the Land Management Workforce Flexibility Act recognized their service as employees and afforded them opportunities for promotion.

However, recent guidance from the Office of Personnel Management severely limits temporary employees’ ability to compete for permanent jobs. OPM’s guidance declares temporary employees eligible to compete for permanent jobs only in situations where the hiring agency plans to prepare a list of candidates under merit promotion procedures and accepts applications only from individuals inside its own workforce.

This bill today makes a technical correction to clarify the temporary seasonal employees of land management agencies are eligible for the same opportunities for consideration under merit promotion procedures that apply to all other Federal employees.

The bill also makes clear that eligible former employees are deemed to be employees of the agency from which they were most recently separated for instances where the position is limited to employees of the hiring agency.

Mr. Speaker, this straightforward bill will help to establish a more effective, efficient, and qualified Federal workforce.

I thank the ranking member of the Subcommittee on Government Operations, my friend, the gentleman from Virginia (Mr. CONNOLLY), for authoring this key legislation.

I would also like to highlight the great work of the chairman of the Subcommittee on Government Operations, the gentleman from North Carolina (Mr. MEADOWS), who is an original cosponsor of H.R. 4906 and cares deeply about remedying this situation.

I support this bill.

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

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

I thank my friend and colleague from Oklahoma for his leadership and his support on this important bill.

Mr. Speaker, I rise in strong support of a bipartisan bill, H.R. 4906, which I am pleased to cosponsor with Chairman MEADOWS of the Government Operations Subcommittee.

This simple bill makes, as my friend indicated, a technical correction to bipartisan legislation known as the Land Management Workforce Flexibility Act, on which I was pleased to work with the committee in passing into law just last year. That bill originally passed the House by a voice vote and then went on to pass the Senate by unanimous consent. As my colleagues will recall, that bill was intended to give temporary seasonal employees an opportunity to compete for permanent full-time employment within all agencies across the entire Federal Government.

Merit promotion procedures provide an important career advancement path for Federal employees, and many nonentry-level jobs are filled using this process. Yet, no matter how long an individual has served, temporary seasonal employees never get access to merit promotion opportunities.

Now, who are those people? Those are men and women on the front line of wildfires in the West, who put their lives on the line to contain forest fires during the fire season out west—dangerous work, arduous work, dangerous work.

We are simply trying to give them a fair shake, a fair shake that is available to all other Federal employees. This was intended to put them on an equal footing for vacant jobs in the civil service, including permanent seasonal jobs.

God knoweth why, but the Office of Personnel Management recently issued guidance to the agency, based on a narrow reading never intended by our committee or by this Congress, of the legislative language that would actually limit the positions to which these temporary employees may apply to just those within the current agency.

That was never the intent of this Congress, and I, frankly, feel, if you looked at the legislative history both in committee and on the floor, that would have been clear.

Our bill, which reflects a collaborative effort with the majority and minority, as well as with OPM and employees, groups such as the National Federation of Federal Employees, clarifies the intent, I hope, once and for all.

The barrier to merit promotion faced by our temporary seasonal employees demoralizes the dedicated and courageous corps that serves in land management agencies, contributes to increased attrition, and ultimately leads to higher training costs and a less experienced, capable workforce.

Last year, Mr. Speaker, a record 10 million acres burned across these United States, about 4 million more than average. In Arizona alone, 294 fires burned in the first quarter of this
year, double that of the same period last year. Our country cannot afford to degrade its wildland firefighting and emergency response capabilities.

An individual that successfully competes for a vacant permanent position—we are not creating new ones—under the clarified intent of this bill would, in fact, become a career-conditional employee—unless the employee had otherwise completed service requirements for career tenure—and acquire competitive status upon appointment.

H.R. 4906 defines land management agencies to include the Forest Service, Bureau of Land Management, National Park Service, Fish and Wildlife Service, Bureau of Reclamation, and Bureau of Indian Affairs.

The legislative fix will finally give temporary seasonal firefighters and other land management temporary seasonal employees the chance to compete for vacant permanent positions, seasonal or full-time, under the same merit promotion procedures available to other Federal employees.

Last year, I stated that our bipartisan bill was consistent with OPM’s support for the concept that “long-term temporaries who have demonstrated their abilities on the job should not have to compete with the public for permanent vacancies.”

Despite their misinterpretation of H.R. 1531, the original land management bill, I remain confident OPM still supports that sentiment.

In closing, I strongly urge my colleagues to support the bipartisan Land Management Workforce Flexibility Act, ensuring that our Nation’s hard-working, temporary, seasonal employees may compete to serve the American people on a permanent basis, if they so choose. That will improve government efficiency and effectiveness and, I believe, provide a safety valve when it comes to the fire season out west. But it is simply the right thing to do, in the final analysis, on behalf of this dedicated workforce.

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

Mr. RUSSELL. Mr. Speaker, I urge the adoption of 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. RUSSELL) that the House suspend the rules and pass the bill (H.R. 4904) to require the Director of the Office of Management and Budget to issue a directive on the management of software licenses, and for other purposes.

The Clerk read the title of the bill. The text of the bill is as follows:

H.R. 4904
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 “Making Electronic Government Accountable By Yielding Tangible Efficiencies Act of 2016” or the “MEGABYTE Act of 2016”.

SEC. 2. OMB DIRECTION ON MANAGEMENT OF SOFTWARE LICENSES.
(a) DEFINITION.—In this section—
(1) the term “Director” means the Director of the Office of Management and Budget; and
(2) the term “executive agency” has the meaning given that term in section 105 of title 5, United States Code.

(b) OMB DIRECTION.—The Director shall issue a directive to the Chief Information Officer of each executive agency to develop a comprehensive software licensing policy, which shall—
(1) identify clear roles, responsibilities, and central oversight authority within the executive agency for managing enterprise software license agreements and commercial software license management.
(2) require the Chief Information Officer of each executive agency to—
(A) establish a comprehensive inventory, including 80 percent of software license spending and enterprise licenses in the executive agency, by identifying and collecting information about software license agreements using automated discovery and inventory tools;
(B) regularly track and maintain software licenses to assist the executive agency in implementing decisions throughout the software license management life cycle;
(C) analyze software usage and other data to make cost-effective decisions;
(D) provide training relevant to software license management;
(E) establish goals and objectives of the software license management program of the executive agency; and
(F) consider the software license management life cycle phases, including the requisition, reception, deployment and maintenance, retirement, and disposal phases, to implement effective decisionmaking and incorporate existing standards, processes, and metrics.

(c) REPORT ON SOFTWARE LICENSE MANAGEMENT.—
(1) IN GENERAL.—Beginning in the first fiscal year beginning after the date of enactment of this Act, and in each of the following 5 fiscal years, the Chief Information Officer of each executive agency shall submit to the Director a report on the financial savings or avoidance of spending that resulted from improved software license management.
(2) AVAILABILITY.—The Director shall make each report submitted under paragraph (1) publically available.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.
This legislation is about responsible stewardship of the tax dollars of hard-working Americans. I thank my friend, Mr. CARTWRIGHT, and also Senator CAS- SIDY for their collective work on the MEGABYTE Act.

Mr. Speaker, let me urge my colleagues to not only support this legislation, but all legislation in our continued quest to cut waste in government.

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

Mr. CARTWRIGHT. Mr. Speaker, I rise in support of H.R. 4904, and I yield myself such time as I may consume.

Mr. Speaker, let me first begin by thanking our chairman of the Oversight and Government Reform Committee, JASON CHAFFETZ, for bringing this bill forward for a vote. I also want to thank the gentleman from Mary- land, ELLIjah Cummings, my friend and the ranking member; as well as the other two lead cosponsors who are here, Congressman WILL HURD of Texas and Senator BILL CASSIDY of Louisiana who just spoke for their support.

Additionally, I also want to join him in thanking Senator BILL CASSIDY—lately our colleague here in the House, but more likely the junior colleague—for his support and his authorship of this bill.

Mr. Speaker, we are always looking for ways to curb waste in the Federal Government, and sometimes it is surprising to find it. It is a changing world. Fifty years ago, nobody used the acronym IT, but now they do, and there is waste to be found in the IT procurement mechanism.

Mr. Speaker, the Federal Government spends $82 billion a year on information technology. Right now, for the second year in a row, our GAO has identified IT software license management as a top priority in its annual dup- lication report. A duplication report is something that is really good at identifying waste because duplication means what it says: you are duplicating purchases in the Federal Gov- ernment.

Of the 24 major Federal agencies, as you just heard, only two have imple- mented policies of comprehensive and clear management of software licenses. It is like this: anybody in the private sector knows that when you go to buy a suite of software from a major vendor, they will give you a block with a price point. So you might buy a block of 25 copies of a particular brand of software even though your office only needs 19 copies. That means you have six extra licenses left over.

The Federal Government buys software the same way. What we found is they are not doing a good enough job of keeping track of the unused licenses. This bill codifies current administra- tion efforts to do things like that to save the Federal taxpayers their tax dollars.

Right now none of the 24 agencies have fully implemented all of these in- dustry best practices recommended by the GAO, and that ends now with this legislation.

The Making Electronic Government Accountable By Yielding Tangible Effi- ciencies Act, the MEGABYTE Act, is comprised of necessary reforms to the Federal Government's management of IT software licenses. In particular, the MEGABYTE Act achieves cost savings by seven action items:

Number one, it requires the Office of Management and Budget to issue direc- tives to Federal agency CIOs to identify clear roles, responsibilities, and cen- tral oversight authority for managing IT software licenses.

Number two, it requires having agen- cies establish comprehensive records of software license spending and inven- tories of enterprise licenses in the agency, as I just mentioned:

Number three, regularly track and efficiently and effectively utilize soft- ware licenses to assist the executive agency in implementing decisions and strategies of the software license management life cycle;

Number four, analyze software usage and other data to make cost-effective decisions in the purchase of software;

Number five, provide relevant train- ing for software use management;

Number six, establish broad objec- tives and targeted implementation strategies of the software license man- agement program of the agency;

And, finally, number seven, consider the software license management life cycle phases, including the requisition, reception, deployment and mainte- nance, retirement, and disposal phases in order to implement effective deci- sionmaking, again, in the purchase and handling of software.

The GAO found that when imple- menting these oversight and manage- ment practices reflected in the MEGA- BYTE Act, a Federal agency—one Fed- eral agency—saved 161 million tax dol- lars this fiscal year. Enacting MEGA- BYTE across the entire executive branch promises potentially yielding billions of savings to the American taxpayer footing the bill for all of this.

Mr. Speaker, improving the manage- ment of agency contracts and licensing for commercial software is critical to ensuring the procurement process works effectively for both the Federal Government and industry that provides the software.

An obvious example of how effective software management could save not only dollars and cents, but improve the lives of Americans is in the health records of our servicemembers.

Mr. Speaker, the Oversight and Gov- ernment Reform Committee has held hearings on the failure by the Depart- ment of Defense and the Department of Veterans Affairs to implement a fully integrated electronic health record system for our Active Duty soldiers and our veterans. As early as 1996, DOD and VA set a goal: to create health records that could work to- gether, with an initiative to create a joint system—an integrated electronic health record system. But after nearly two decades and spending over $560 mil- lion toward that effort, DOD and VA ditched the plan and continued on with their separate systems.

Now, our soldiers, sailors, airmen, and marines who are making their transition from DOD to VA health care are told to print out hard copies of their medical records and bring them to the VA. That is an enormous sum of money to have spent with absolutely nothing to show for it.

Mr. Speaker, it is my hope that the MEGABYTE Act is the first in a series of steps we can take to minimize wasteful software spending and to pro- mote efficient procurement of tech- nology. Our software and technology must promote interoperability across multiple platforms—and this starts with effective decisionmaking. By en- couraging the use of open standards that are technology neutral, we can en- courage innovation, create connected, interoperable components and systems, driving down costs and avoiding unnecessary lock-in to any one particular technology platform.

Mr. Speaker, I am proud of the bipartisan and bicameral effort behind this bill. I thank, again, our chairman, JASON CHAFFETZ, for advancing the bill.

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

Mr. RUSSELL. Mr. Speaker, I am pleased to yield 3 minutes to the gentle- man from Texas (Mr. HURD), my friend and colleague.

Mr. HURD of Texas. Mr. Speaker, the Federal Government spends more than $80 billion a year on IT procurement, and 80 percent of that is on legacy sys- tems, old and outdated systems that all of us would think should be gone. Every time I hear this stat, I get upset because it is outrageous. This is a waste of Americans' hard-earned tax dollars.

In 2015, the Office of Management and Budget noted that Federal agencies spent about $9 billion on software li- censes alone. But guess what? Many agencies are not managing these soft- ware licenses properly. I know—nobody is surprised.

The Government Accountability Office did a report last year that explained agencies could achieve hun- dreds of millions of dollars in govern- ment-wide savings if they managed their software licenses better. Agencies should already have an extensive inventory of what software they use. Agencies should already be utilizing their spending power to get good deals on software licenses. Agencies should already be getting rid of old software that they don't use. But they aren't doing it, and Congress is acting.

In 2015, Congress passed landmark IT reform legislation called FITARA, which gave agency CIOs greater au- thority over IT decisions and changed the way that the Federal Government procures technology.

The MEGABYTE Act, H.R. 4904, builds upon the important work that
FITARA started. When enacted, this bill would require CIOs to develop comprehensive inventories on their software license agreements. Additionally, this measure would require agency CIOs to provide OMB with annual reports on any realized savings which OMB may make publicly available.

It is simple, it is straightforward, and it makes sense. IT procurement is not a sexy topic. Nobody goes to a rally for IT procurement. But getting this right will save money, and when we cut waste we allow hardworking Americans to keep more of their money in their own pockets.

Mr. Speaker, I thank the gentleman from Pennsylvania for his leadership on this issue, and I look forward to continuing our work together. I urge my colleagues to support H.R. 4904.

Mr. CARTWRIGHT. Mr. Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. CONNOLLY.)

Mr. CONNOLLY. Mr. Speaker, I thank the gentleman from Pennsylvania (Mr. CARTWRIGHT) especially for his leadership on this bill, the MEGABYTE Act.

Mr. Speaker, as has been indicated, we spend over $80 billion a year on IT procurement across the Federal Government, 80 percent of which maybe is used to maintain old and legacy systems, some of those systems going back to the 1960s. We are still funding COBOL, DOS, and many multiple systems that aren’t integrated and aren’t interoperable.

My friend, Mr. CARTWRIGHT, gave what I think is one of the most glaring examples of how, even when we move to update, because of the stovepipe nature of decisionmaking all too often in the Federal Government, bad decisions get made.

The Pentagon has one system for medical recordkeeping and the Veterans Administration has another. When one individual moves from Active Duty to retired status, they have to take their records with them, physically, because the two systems, upgraded recently, are not compatible. A third procurement contract had to be issued for the private sector to try to see if they could bridge these two systems, and the taxpayer had to pay a third time. Why couldn’t we get that right the first time?

Making sure these investments serve the purpose for which they are intended is really critical. This act helps codify that.

My friend, Mr. HARDY from Texas, was gracious in bringing up the FITARA, the Federal Information Technology Acquisition Reform Act, which I think sets the construct, the structure, for every Federal agency to modernize itself to improve efficiency, to streamline management, and to make sure that their investments are efficacious.

The MEGABYTE Act is a wonderful complement to that when it comes to software. I think it will help transform the way how the Federal Government procures and manages its information technology portfolio. I urge its passage, and I am proud to be an original cosponsor.

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

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

I urge my fellow Members of the United States House of Representatives to vote “yes” on H.R. 4904, a common-sense, bipartisan effort to save the American taxpayers money in the purchase of software. It is our chance to nip this problem in the bud before it gets bigger and bigger and bigger. It is an opportunity to save a waste of money for the American taxpayer.

I yield back the balance of my time.

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

Iraq, Afghanistan, and other portions of the Federal Government, bad decisions all too often in examples of how, even when we move to update, because of the stovepipe nature of decisionmaking all too often in the Federal Government, bad decisions get made.

The SPEAKER pro tempore. Pursuant to the gentleman’s request, the Clerk read the title of the bill.

The Clerk read the title of the bill.

The text of the bill is as follows:

EASTERN NEVADA LAND IMPLEMENTATION IMPROVEMENT ACT

Mr. HARDY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1815) to facilitate certain pinyon-juniper related projects in Lincoln County, Nevada, to modify the boundaries of certain wilderness areas in the State of Nevada, and to provide for the implementation of a conservation plan for the Virgin River, Nevada, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

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 “Eastern Nevada Land Implementation Improvement Act”.

SEC. 2. FACILITATION OF PINYON-JUNIPER RELATED PROJECTS IN LINCOLN COUNTY

(a) FACILITATION OF PINYON-JUNIPER RELATED PROJECTS.—
Lincoln County Land Act of 2000 (Public Law 106-298; 114 Stat. 1047) is amended by inserting “and the Lincoln County Regional Development Authority” after “schools”.

(2) APPROPRIATION FOR LAND ACQUISITIONS.—Section 323 of the Pam White Wilderness Protection Act of 1989 (16 U.S.C. 1132 et seq.) is amended by striking “and the Fish and Wildlife Service refused to sign a new memorandum of agreement or to allow the city to access the necessary funding because it didn’t feel that the current legislation enabled them to implement the conservation plan. As a result, all efforts to advance the conservation plan and expand the city are at a standstill.

This bill remedies the problem by making a technical correction to the Mesquite Lands Act of 1988 that will provide the necessary authority to the Fish and Wildlife Service to implement the conservation plan, after signing the new agreement with the city of Mesquite.

Lastly, the bill makes several boundary adjustments that collectively reduce three wilderness areas to improve public access to the Big Canyon Trailhead, provide land to the existing Girl Scouts camp, and release a small dam owned and operated by the Yamba Tribe.

It is important to know that all of the money that would be spent to execute these programs in this bill would come from special accounts that already exist. Not a single taxpayer dollar would go to pay for this bill. These special accounts are funded by the proceeds of the Federal land sales in Nevada and, in total, have a balance of $270 million in unobligated funds. The $2 million predicted to be used for the purposes in H.R. 1815—protecting communities from catastrophic wildfires by reducing hazardous fuels and implementing a habitat conservation plan—would come directly from those accounts at no cost to the taxpayer.

This is a well-balanced, bipartisan piece of legislation that will reduce wildland fire threat and greatly benefit local communities, wildlife and its habitat, and the future management of public lands in Nevada.

I urge my colleagues to support H.R. 1815.

I reserve the balance of my time.

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

H.R. 1815, the Eastern Nevada Land Implementation Improvement Act, which I introduced last year, makes several changes to the existing Federal land laws. The bill authorizes hazardous fuels reduction projects and wildfire planning for rangeland and woodland restoration projects in Lincoln County, Nevada. These projects will help reduce the risk of catastrophic wildfire and improve and protect habitat for the greater sage-grouse.

The bill also authorizes the implementation of a conservation plan in Nevada’s Virgin River region. In 2002, the U.S. Fish and Wildlife Service required the city of Mesquite to create a conservation plan to protect several species in the Lower Virgin River Basin before moving ahead with two land acquisitions. The city planned to use these funds from the Mesquite Lands Act, a law passed by Congress in 1986 that allowed the city to acquire and develop lands in eastern Nevada, under the Federal Government, to complete the plan. FWS signed a memorandum of agreement with the city of Mesquite to carry out the law.

This agreement expired in 2014. The Fish and Wildlife Service refused to sign a new memorandum of agreement or to allow the city to access the necessary funding because it didn’t feel that the current legislation enabled them to implement the conservation plan. As a result, all efforts to advance the conservation plan and expand the city are at a standstill.
Mr. Speaker, I urge my colleagues to vote in support of this legislation. I yield back the balance of my time.

Mr. HARDY. Mr. Speaker, I urge my colleagues to vote in support of this legislation also. I yield back the balance of my time.

The SPEAKER pro tempore. The question was taken.

Mr. HARDY. Mr. Speaker, I move to suspend the Rules and pass the bill, H.R. 1815, as amended.

The Clerk read the title of the bill. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

The Speaker pro tempore. Pursuant to the gentleman from Nevada (Mr. HARDY) that the House suspend the rules and pass the bill, H.R. 1815, as amended.

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

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

The yeas and nays were ordered.

The Speaker pro tempore. The House concurred in the Senate amendment to H.R. 1815, as amended. The Speaker pro tempore ordered the Clerk to report the same as passed the House. The House adjourned at 2:18 p.m. on Tuesday, June 7, 2016.

Mr. Speaker, I urge my colleagues to vote in support of this legislation.

Mr. HARDY. Mr. Speaker, I urge my colleagues to vote in support of this legislation also. I yield back the balance of my time.

Mr. HARDY. Mr. Speaker, I urge my colleagues to vote in favor of its passage. I reserve the balance of my time.

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

By expanding the boundaries of the Shiloh National Military Park in the State of Tennessee, H.R. 87 will assist the National Park Service in its efforts to preserve and interpret resources associated with the Civil War.

The bill adjusts the boundary of the park to include several sites identified in the 2004 boundary expansion study conducted by the National Park Service. This bill also establishes the Parker’s Crossroads Battlefield as an associated area of the National Park System, providing even broader opportunities to interpret the Civil War story.

The struggle and personal conflicts that were faced by millions of soldiers and the impact on families throughout our country is something that this country's history cannot be overstated, and the Civil War is a chapter in our national story that continues to shape the thoughts and actions of this country for over 150 years after its conclusion.
that has taken place in Tennessee and Mississippi and at the Shiloh National Military Park. I think it is so significant that we have seen our local elected officials work with our State and Federal officials.

I do have to commend the employees of the National Park Service who have done a phenomenal job as they have worked toward the preservation of these entities, as Mr. CLAY said so very well, and who have looked at how we adjust the boundaries, expand the boundaries, and then preserve these areas. It is a part of the historical legacy, as has been said, not only of Tennessee's and Mississippi's, but of the United States'.

Indeed, over a half million visitors a year come to the Shiloh National Military Park. This will give the National Park Service the flexibility that it needs to look at adding in the additional 2,100 acres into this park. It would encompass the Fallen Timbers, the Russell House, and the Davis Bridge, and it would provide that consideration for Parker's Crossroads. As I said, it is an important part of the National Park Service.

This legislation is the product of work from our local, State, and Federal officials and from the community groups and organizations that support this.

I thank my colleagues for their support.

Mr. CLAY. Mr. Speaker, I urge my colleagues to support this legislation. I yield back the balance of my time.

Mr. HARDY. 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 Nevada (Mr. HARDY) that the House suspend the rules and pass the bill, H.R. 87, as amended.

The question was taken; and (two-thirds being in the affirmative) the bill was passed H.R. 87, as amended.

Ms. H. 2733

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 "Nevada Native Nation Lands Act.

SEC. 2. DEFINITION OF SECRETARY.

In this Act, the term "Secretary" means the Secretary of the Interior.

SEC. 3. CONVEYANCE OF LAND TO BE HELD IN TRUST FOR CERTAIN INDIAN TRIBES.

(a) CONVEYANCE OF LAND TO BE HELD IN TRUST FOR CERTAIN INDIAN TRIBES.

(1) DEFINITION OF MAP. — In this subsection, the term "map" means the map entitled "Reno-Sparks Indian Colony Expansion", dated February 21, 2013, and on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(b) CONVEYANCE OF LAND TO BE HELD IN TRUST FOR CERTAIN INDIAN TRIBES. —

(1) MAP. — In this subsection, the term "map" means the map entitled "Reservation Expansion Lands".

(c) CONVEYANCE OF LAND TO BE HELD IN TRUST FOR CERTAIN INDIAN TRIBES.

(1) MAP. — In this subsection, the term "map" means the map entitled "Reno-Sparks Indian Colony Expansion", dated June 11, 2014, and on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(d) CONVEYANCE OF LAND TO BE HELD IN TRUST FOR CERTAIN INDIAN TRIBES.

(1) MAP. — In this subsection, the term "map" means the map entitled "Horseshoe Lake Paiute Reservation", dated March 20, 2013, and on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(e) CONVEYANCE OF LAND TO BE HELD IN TRUST FOR CERTAIN INDIAN TRIBES.

(1) MAP. — In this subsection, the term "map" means the map entitled "Shoshone Reservation", dated October 22, 2013, and on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(f) CONVEYANCE OF LAND TO BE HELD IN TRUST FOR CERTAIN INDIAN TRIBES.

(1) MAP. — In this subsection, the term "map" means the map entitled "Pyramid Lake Reservation", dated October 16, 2015, and on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(g) CONVEYANCE OF LAND TO BE HELD IN TRUST FOR CERTAIN INDIAN TRIBES.

(1) MAP. — In this subsection, the term "map" means the map entitled "Great Basin Indian Reservation", dated January 8, 2016, and on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(h) CONVEYANCE OF LAND TO BE HELD IN TRUST FOR CERTAIN INDIAN TRIBES.

(1) MAP. — In this subsection, the term "map" means the map entitled "Reno-Sparks Indian Colony Expansion", dated June 11, 2014, and on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(i) CONVEYANCE OF LAND TO BE HELD IN TRUST FOR CERTAIN INDIAN TRIBES.

(1) MAP. — In this subsection, the term "map" means the map entitled "Nevada Native Nation Lands Act", dated February 21, 2013, and on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(j) CONVEYANCE OF LAND TO BE HELD IN TRUST FOR CERTAIN INDIAN TRIBES.

(1) MAP. — In this subsection, the term "map" means the map entitled "Reno-Sparks Indian Colony Expansion", dated June 11, 2014, and on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

SEC. 4. ADMINISTRATION.

(a) SURVEY. — Not later than 30 days after the date of enactment of this Act, the Secretary shall prepare a survey of the boundary lines to establish the boundaries of the land taken into trust for each Indian tribe under section 3.

(b) USE OF TRUST LAND. —

(1) GAMING. — Land taken into trust under section 3 shall not be eligible, or considered to have been taken into trust, for class II gaming or class III gaming (as those terms are defined in section 4 of the Indian Gaming Regulatory Act (25 U.S.C. 2701)).

(2) THINNING; LANDSCAPE RESTORATION. — With respect to the land taken into trust under section 3, the Secretary could coordinate with the applicable Indian tribe, may carry out any fuel reduction and other landscape restoration activities, including restoration of fire ecology, to benefit the Indian tribe and the Bureau of Land Management.
The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nevada (Mr. HARDY) and the gentleman from Missouri (Mr. CLAY) each will control 20 minutes.

The Chair recognizes the gentleman from Nevada.

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

I rise in support of H.R. 2733, the Nevada Native Nations Land Act.

I commend my colleague from Nevada (Mr. AMODEI), the sponsor of this bill, for his tireless work on this important piece of legislation. Because he will speak further on the details that affect his district, I will provide a brief summary of the bill.

H.R. 2733, as amended, would require the Secretary of the Interior to place, approximately, 71,000 acres of Federal land into trust for six tribes in the State of Nevada. Gaming would be prohibited on these lands.

Located in my district, the Duckett Lakes Shoshone Tribe would have, approximately, 31,000 acres of land placed into trust by the Secretary of the Interior. The tribe intends to utilize these lands for economic development and community growth. Specifically, it plans to control 20 minutes.

Over 85 percent of the land that is located in Nevada is federally controlled, and tribes continue to have a small land base. This bill is an important step in promoting economic activity that will generate jobs in the tribal communities, benefitting both reservation economies.

I thank Mr. AMODEI for his efforts in getting this legislation to the floor.

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

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

The six Nevada tribes that are affected by this legislation want to expand their reservations for a variety of purposes, including for recreational use, residential construction, and energy and mineral development. H.R. 2733 will allow the tribes to pursue these goals. By passing this bill, they will be able to preserve their cultural heritage and traditions, expand housing for their members, and realize new economic development opportunities.

The decision is the result of years of negotiations between the tribes, the Federal Government, the State of Nevada, and local stakeholders.

I commend my colleague from Nevada (Mr. AMODEI) for his work on behalf of the Nevada tribes and on this legislation. I urge its quick adoption.

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

Mr. HARDY. Mr. Speaker, I yield 3 minutes to the gentleman from Nevada (Mr. AMODEI).

Mr. AMODEI. I thank my colleague from the Silver State and my colleague from the Show Me State. I appreciate the background.

Mr. Speaker, this is the return of a bill that was passed in the 114th Congress by a voice vote in the House of Representatives. It went to the Senate. I can't tell you what happened there; but the good news is that the 114th Congress, the Senate, has moved on a companion bill; so we might actually get some resolution of this.

I note that my colleague from the Silver State mentioned patience and hard work. I want to point out that, for the folks of the Fort McDermitt Paiute and Shoshone Tribe, the 19,000-acre transfer that is proposed in this piece of legislation was first before the United States Congress in a bill that was introduced in 1972 by then-Nevada Senators Alan Bible and Howard Cannon. Certainly, that tribe gets the "patience" award in terms of waiting to fill in what is largely checkerboard-type holdings to consolidate their holdings in their district.

As a whole, about 31,000 acres are in my colleague's CD4 district, and 40,000 acres are in the rest of CD2. There is a variety of things to provide housing to attract healthcare facility givers and cultural and resource preservation buffer zones. It has been through the planning process in those counties in which it is. Many off-road vehicle organizations support this. It can hardly be said to have been sprung on anybody.

I urge my colleagues' support.

Mr. CLAY. Mr. Speaker, I urge my colleagues to vote in favor of the legislation. I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nevada (Mr. HARDY) and the gentleman from Missouri (Mr. CLAY) each will control 20 minutes.

The Chair recognizes the gentleman from Nevada.

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

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

There was no objection.

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

H.R. 3070, which was introduced by my colleague, Congressman Lee ZELDIN of New York, aims to eliminate Federal controversy confusion around the Block Island Sound. His bill authorizes the Secretary of Commerce to permit striped bass fishing in the Block Island Transit Zone between Montauk, New York, and Point Judith, Rhode Island.

The bill before us today is the result of extensive input from area stakeholders and congressional deliberation. Following a Natural Resources Committee's oversight field hearing and a subsequent legislative hearing, the bill has been amended to resolve any concerns about the unintended impacts of other federally permitted activities. As such, the Natural Resources Committee passed this bill earlier this year by unanimous consent.

I urge my colleagues to support this bill, and I commend Mr. ZELDIN for his leadership on this bill.

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

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

As introduced, H.R. 3070 had sweeping negative impacts. It would have redrawn the boundary of the exclusive economic zone in an area between Montauk Point, New York,
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and Block Island, Rhode Island, allowing for the State management of fishery resources that are currently managed by the Federal Government. It would have barred Connecticut fishermen from using the area at all, and it would have eliminated a key sanctuary for striped bass, while the very time the species needs stronger conservation measures.

Fortunately, the Natural Resources Committee was able to address those flaws at markup and is able to bring forward a bill today that does not have any unintended consequences. The current version of H.R. 3070 simply clarifies that the Secretary of Commerce has the authority to issue regulations that govern recreational fishing for striped bass in the Block Island Transit Zone. This area is currently closed to striped bass fishing, and I join the vast majority of recreational anglers in the region in urging fisheries’ managers to keep it that way.

That said, let us do support the bill before us today.

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

Mr. HARDY. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. ZELDIN].

Mr. ZELDIN. I thank Mr. HARDY and Mr. CLAY for their comments and for their support of this legislation.

Mr. Speaker, I rise in support of my bill, H.R. 3070, the EEZ Transit Zone Clarification and Access Act, which would clarify the Federal laws that govern the management of the striped bass fishery in the exclusive economic zone, or the EEZ, between Montauk, New York, and Block Island, Rhode Island.

One of the most pressing issues that is faced by Long Island fishermen is the urgent need to clarify the Federal regulations regarding striped bass fishing in the small area of federally controlled waters between Montauk Point and Block Island.

Between New York State waters, which end 3 miles off Montauk Point, and the Rhode Island boundary, which begins 3 miles off Block Island, there is a small area of federally controlled water that is considered part of the EEZ. The EEZ, which extends up to 200 miles from the coast, are waters that are patrolled by the Coast Guard, where the United States has exclusive jurisdiction over fisheries and other natural resources. Since 1980, striped bass fishing has been banned in the EEZ even though fishermen can currently fish for striped bass in adjacent State waters.

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Fishing is an industry in and around my district. It is getting more and more difficult to survive in this industry if you are a businessowner. Fishermen are desperately pleading for commonsense relief, and this is one way Congress can help.

To my colleagues in this Chamber, I ask you to vote in favor of this bill, passing this legislation on behalf of the amazing fishermen on the east end of Long Island.

Long Island striped bass fisherman have lost 60 percent of their traditional fishing grounds due to Federal restrictions to reform. Additionally, the geography of our region means that making the 15-mile journey by boat from Montauk Point to Block Island requires passing through a small strip of waters considered to be part of the EEZ. The shift in jurisdiction can mean the difference between a nice day on the water and committing a Federal offense.

My bill, H.R. 3070, clarifies the Federal law currently governing the management of the striped bass fishery between Montauk and Block Island, permitting striped bass fishing in these waters and allowing for local regulations to manage this important fishery.

This legislation is a commonsense reform that offers a simple solution to a unique local issue, providing regulatory relief and more certainty to our region’s fishermen, while restoring local control of fishery that must be properly managed and preserved for future generations.

Late last year, on December 7, 2015, I cohosted a House Natural Resources Committee field hearing within my district in Riverhead, New York, with Chairman Ron Bishop of Utah. The hearing was held to discuss important local fishing issues, including this legislation. Chairman Bishop and members of the committee were able to hear firsthand the concerns of those on Long Island who rely upon fishing as an occupation and way of life. A few months later, on March 17, 2016, working closely with the committee, my bill passed this committee with unanimous bipartisan support.

I thank House Majority Leader KEVIN MCCARTHY for having the bill placed on today’s agenda on the House floor. A big thank you to House Natural Resources Committee Chairman ROB BISHOP; Subcommittee on Water, Power and Oceans Chairman JOHN FLEMING; and Subcommittee on Water, Power and Oceans Vice Chairman PAUL Gosar for recognizing the urgency in passing this bill. I also thank Congressman JOE COURTNEY, my colleague across Long Island Sound, who worked with us to make this a bipartisan bill.

I also commend the steadfast commitment of the Long Island’s fishing community, which championed this issue for nearly two decades and is standing up for Long Island’s coastal way of life. The dedicated men and women who fish in these local waters are the backbone of the tens of thousands of Long Islanders who depend upon the coastal economy of the east end deserve no less than this commonsense reform promoted by this proposal.

I encourage all of my colleagues to vote in support of this critical bill.

Mr. CLAY. Mr. Speaker, I have no further speakers, and I urge the body to adopt H.R. 3070.

I yield back the balance of my time.

Mr. HARDY. 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 Nevada (Mr. HARDY) that the House suspend the rules and pass the bill, H.R. 3070, as amended.

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

The title of this bill was amended so as to read: “A bill to authorize the Secretary of Commerce to permit striped bass fishing in the Exclusive Economic Zone transit zone between Montauk, New York, and Point Judith, Rhode Island, and for other purposes.”

A motion to reconsider was laid on the table.

MOUNT HOOD COOPER SPUR LAND EXCHANGE CLARIFICATION ACT

Mr. HARDY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3826) to amend the Omnibus Public Land Management Act of 2009 to modify provisions relating to certain land exchanges in the Mt. Hood Wilderness in the State of Oregon, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3826

Be enacted by the Senate and House of Representa-tives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Mount Hood Cooper Spur Land Exchange Clarification Act”.

SEC. 2. COOPER SPUR LAND EXCHANGE CLARIFICATION AMENDMENTS.

Section 1206(a) of the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 1018) is amended—

(1) in paragraph (1)—

(A) in subparagraph (D)—

(2) in paragraph (2)—

(A) in subparagraph (D)—

(i) in clause (i), by striking “As soon as practicable after the date of enactment of this Act, the Secretary and Mt. Hood Meadows shall select and insert “Not later than 120 days after the date of the enactment of the Mount Hood Cooper Spur Land Exchange Clarification Act, the Secretary and Mt. Hood Meadows shall jointly select”;

(ii) in clause (ii), by striking “improvements,” after “buildings,”;

(iii) in clause (iii), by inserting “Not later than 120 days after the date of the enactment of the Mount Hood Cooper Spur Land Exchange Clarification Act, the Secretary and Mt. Hood Meadows shall jointly select”;

(b) in clause (l), in the matter preceding sub-paragraph (i), by striking “An appraisal under clause (i)” and inserting “Except as provided under clause (iii), an appraisal under clause (i) shall assign a separate value to each tax lot for the equalization of values and”; and

(c) by adding at the end the following:

“(iii) FINAL APPRAISED VALUE.—

(1) IN GENERAL.—Subject to subclause (II), after the final appraised value of the Federal land and the non-Federal land are determined and approved by the Secretary, the Secretary shall not be required to reappraise or update the final appraised value for a period of up to 3 years, beginning on the date of the approval by the Secretary of the final appraised values.

(II) EXCEPTION.—Subclause (I) shall not apply if the condition of either the Federal land
or the non-Federal land referred to in subclause (I) is significantly and substantially altered by fire, windstorm, or other events.

"(iv) PUBLIC REVIEW.—Before completing the land exchange under this Act, the Secretary shall make available for public review the complete appraisals of the land to be exchanged.

"(B) by striking subparagraph (G) and inserting the following:

"(G) REQUIRED CONVEYANCE CONDITIONS.—
Prior to the exchange of the Federal and non-Federal land—

"(i) the Secretary and Mt. Hood Meadows may mutually agree for the Secretary to reserve a conservation easement to protect the identified wetland and other locations with applicable law, subject to the requirements that—

"(1) the conservation easement shall be consistent with the terms of the September 30, 2015, mediation between the Secretary and Mt. Hood Meadows; and

"(ii) in order to take effect, the conservation easement shall be finalized not later than 120 days after the date of enactment of the Mount Hood Cooper Spur Land Exchange Clarification Act; and

"(iii) the Secretary shall reserve a 24-foot-wide nonexclusive trail easement at the existing trail locations on the Federal land that retains for the United States existing rights to construct, reconstruct, and maintain the trail or permit nonmotorized use by the public of existing trails subject to the right of the owner of the Federal land—

"(1) to cross the trails with roads, utilities, and infrastructure facilities; and

"(2) to improve or relocate the trails to accommodate development of the Federal land.

"(H) EQUALIZATION OF VALUES.—

"(1) in general.—Notwithstanding subparagraph (A), in addition to or in lieu of monetary compensation, a lesser area of Federal land or non-Federal land may be conveyed if necessary to equalize the appraised values of the exchange properties, without limitation, consistent with the requirements of this Act and subject to the approval of the Secretary and Mt. Hood Meadows.

"(2) treatment of certain compensation or conveyances as donation.—If, after payment of compensation or adjustment of land area subject to exchange under this Act, the amount by which the appraised value of the land and other property conveyed by Mt. Hood Meadows under subparagraph (A) exceeds the appraised value of the land conveyed by the Secretary under subparagraph (A) shall be considered a donation by Mt. Hood Meadows to the United States.

The SPEAKER pro tempore. Pursuant to the rules, the gentleman from Nevada (Mr. HARDY) and the gentleman from Missouri (Mr. CLAY) each will control 20 minutes.

The Chair recognizes the gentleman from Nevada.

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

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

There was no objection.

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

H.R. 3826, the Mount Hood Cooper Spur Land Exchange Clarification Act, was introduced by Congressmen GREG WALDEN and EARL BLUMENAUER to address the ongoing land exchange issues.

In 2009, the Omnibus Public Land Management Act authorized a land exchange in Government Camp, Oregon. This land exchange was supposed to be completed within 16 months; however, this still has not occurred more than 7 years later. The long delay, primarily due to the ongoing and surrounding easement terms, has frustrated local communities such as Mount Hood Meadows and other local groups.

H.R. 3826 comes as a result of a successful mediation session held by the Forest Service to resolve the outstanding issues between the agency and the local community. As a result of this exercise, H.R. 3826 updates the details and process for the land exchange to clarify issues relating to land appraisals and the parameters of a wetland conservation easement on the Federal land in the conveyance.

The bill was amended in committee to address concerns raised by the Forest Service, including clarifying language for the easement allowed in the bill and the length of time allowed for the Forest Service to implement this legislation. It is frustrating that the Forest Service has not already carried out the provisions of the 2009 act. I appreciate Congressman WALDEN’s work to see this issue is addressed once and for all.

I hope my colleagues will join in supporting this bill.

I reserve the balance of my time.

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

H.R. 3826 clarifies the terms of a land exchange between the Forest Service and Mount Hood Meadows, a privately held ski resort. Last year, the Forest Service and Mount Hood Meadows engaged in mediation to resolve the issues that have held up the exchange. This bill is the result of that mediation, and its passage will ensure that, after 6 long years, the exchange will finally move forward.

I want to thank the sponsors from Oregon, Representative WALDEN and Representative BLUMENAUER, for their hard work and commitment to resolving this issue.

I urge my colleagues to support this bill.

I reserve the balance of my time.

Mr. HARDY. Mr. Speaker, I yield 3 minutes to the gentleman from Oregon (Mr. WALDEN).

Mr. WALDEN. Mr. Speaker, I thank Mr. CLAY and Mr. HARDY for their work and support of this very important legislation. I thank Mr. GHIJALVA and Chairman BISHOP for bringing this bill to the floor, yet another Mount Hood bill.

My colleague and friend from Oregon, EARL BLUMENAUER, and I actually backpacked 3 nights, 4 days around Mount Hood, 9,000 feet up and down, elevation gain and loss. We hiked with environmentalists, foresters, ornithologists, biologists, and other stakeholders.

We put together a big bipartisan legislative effort. It took 3½ years. Part of this effort was making sure that a very sensitive part around Mount Hood in the Crystal Springs watershed was exchanged out so that the development didn’t occur there and it occurred in an area that already has development, a more appropriate setting. That is what this is really all about.

The legislation that ultimately passed the Congress was a little different than what Representative BLUMENAUER and I started with because we feared this very result could happen, that it would be delayed for years and years and years because we have seen this to occur before. Today, we are here today, 7 years later, after the Congress had told the agency to get this done in 16 months, which should be all the time that is necessary. Seven years later, we are back with a second piece of legislation, confirming the mediation, working this through so that we can get this exchange done thoughtfully, completely, and finally get this done.

I see I am joined by the gentleman from Oregon (Mr. BLUMENAUER), who has been a real partner in this.

The legislation directs the Forest Service to move ahead on implementing the underlying exchange. This is critical as it protects the Crystal Springs area, the water source for much of Hood River and the rest of the upper Hood River Valley as well. So it must do provide a more thoughtful place where Mount Hood Meadows does its development and protects this very sensitive watershed from development.

I urge my colleagues to support this legislation when it comes up for a vote. Let’s get this done once and for all.

Mr. CLAY. Mr. Speaker, I yield my time to the gentleman from Oregon (Mr. WALDEN), left off.

Congressman WALDEN and I worked for several years to try and deal with the reservation of a precious resource. Mount Hood is the dividing line between our two districts. We have a lot of personal history involved there, and it was really one of my most positive experiences in two decades of congressional service, zeroing in with the stakeholders—Native Americans, environmentalists, local government—trying to figure out the best protections for a very complicated area that is within easy driving distance of 4 million people. There were many strains and stresses and multiple stakeholders on the mountain itself.

As he said, part of the delicate balance that was achieved was an opportunity for us to deal with this land exchange. It was a win-win situation for a variety of the stakeholders. It obviously provided a much better future. It settled long-simmering disputes that served nobody’s interest but had actual potential for negative outcomes.
This land exchange was part of what was envisioned. This was not just a bipartisan effort with my friend, the gentleman from Oregon (Mr. WALDEN), and myself. It was then Senator Smith and Senator WYDEN, and now Senator MERKLEY and Senator WYDEN have been partners in this. It is frustrating that we get to the point where it requires legislation to do something that was an integral part of this agreement. I am proud to join my friend in urging support for it. We want to get this passed and be able to capitalize on the vision that we worked so hard on to protect the mountain and all of the attendant interests. This land exchange is critical to it, and I am pleased that this legislation is finally on the floor, although I am frustrated that we have to have legislation on the floor. Hopefully, this will enable us to finish this task.

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

I yield back the balance of my time.

Mr. WALDEN. 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 Nevada (Mr. WALDEN) for the House to suspend the rules and pass the bill, H.R. 3820, 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. WALDEN. 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.

PASCUA YAQUI TRIBE LAND CONVEYANCE ACT

Mr. HARDY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2009) to provide for the conveyance of certain land holdings owned by the United States to the Tucson Unified School District and to the Pascua Yaqui Tribe of Arizona, as amended.

The Clerk read the title of the bill. The text of the bill is as follows:

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 "Pascua Yaqui Tribe Land Conveyance Act".

SEC. 2. DEFINITIONS.

For the purposes of this Act, the following definitions apply:

(1) DISTRICT.—The term "District" means the Tucson Unified School District No. 1, a school district recognized as such under the laws of the State of Arizona.

(2) MAP.—The term "Map" means the map titled "Pascua Yaqui Tribe Land Conveyance Act", dated March 14, 2016, and on file and available for public inspection in the local office of the Bureau of Land Management.

(3) RECREATION AND PUBLIC PURPOSES ACT.—The term "Recreation and Public Purposes Act" means the Act of June 14, 1926 (43 U.S.C. 689 et seq.).

(4) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(5) TRIBE.—The term "Tribe" means the Pascua Yaqui Tribe of Arizona, a federally recognized Indian tribe.

SEC. 3. LAND TO BE HELD IN TRUST.

(a) PARCEL A.—Subject to subsection (b) and to valid existing rights, all right, title, and interest of the United States in and to the approximately 39.65 acres of Federal lands generally depicted on the map as "Parcel A" are declared to be held in trust by the United States for the benefit of the Tribe.

(b) EFFECTIVE DATE.—Subsection (a) shall take effect on the day after the date on which the District relinquishes all right, title, and interest of the District in and to the approximately 39.65 acres of land described in subsection (a).

SEC. 4. LANDS TO BE CONVEYED TO THE DISTRICT.

(a) PARCEL B.—

(1) IN GENERAL.—Subject to valid existing rights and payment to the United States of the fair market value of the United States interest in the District all right, title, and interest of the United States in and to the approximately 13.24 acres of Federal lands generally depicted on the map as "Parcel B".

(2) DETERMINATION OF FAIR MARKET VALUE.—The fair market value of the property to be conveyed under paragraph (1) shall be determined by the Secretary in accordance with the Uniform Appraisal Standards for Federal Land Acquisitions and the Uniform Standards of Professional Appraisal Practice.

(b) PARCEL C.—

(1) IN GENERAL.—If, not later than one year after the completion of the acquisition required by paragraph (3), the District submits to the Secretary an offer to acquire the Federal reversionary interest in all of the approximately 27 acres of land conveyed to the District under Recreation and Public Purposes Act and generally depicted on the map as "Parcel C", the Secretary shall convey to the District all right, title, and interest of the United States in and to the approximately 27 acres of land described in subsection (a) as "Parcel C".

(2) APPRAISAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall complete an appraisal of the Federal reversionary interest in the lands described in subsection (a) to determine the fair market value of the lands subject to the Federal reversionary interest.

(3) APPRAISAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall complete an appraisal of the Federal reversionary interest in the lands identified by the survey required by paragraph (2). The appraisal shall be completed in accordance with the Uniform Appraisal Standards for Federal Land Acquisitions and the Uniform Standards of Professional Appraisal Practice.

(4) COSTS OF CONVEYANCE.—As a condition to the conveyance under this subsection, all costs associated with the conveyance shall be paid by the District.

(5) SECRECY.—The term "Secretary" means the Secretary of the Interior.

(6) COSTS OF CONVEYANCE.—As a condition to the conveyance under this subsection, all costs associated with the conveyance, including the cost of the survey required by paragraph (2) and the appraisal required by paragraph (3), shall be paid by the District.

SEC. 5. GAMING PROHIBITION.

The Tribe may not conduct gaming activities on lands taken into trust pursuant to this Act, either as a matter of claimed inherent authority, under the authority of any Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.) or under regulations promulgated by the Secretary or the National Indian Gaming Commission.

SEC. 6. WATER RIGHTS.

(a) IN GENERAL.—There shall be no Federal reserved right to surface water or groundwater on any land taken into trust by the United States for the benefit of the Tribe under this Act.

(b) STATE WATER RIGHTS.—The Tribe retains any right or claim to water under State law for any land taken into trust by the United States for the benefit of the Tribe under this Act.

(c) FORFEITURE OR ABANDONMENT.—Any water rights that are appurtenant to land taken into trust by the United States for the benefit of the Tribe under this Act may not be forfeited or abandoned.

(d) ADMINISTRATION.—Nothing in this Act affects or modifies any right of the Tribe or any obligation of the United States under Public Law 96–375 (25 U.S.C. 271).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nevada (Mr. HARDY) and the gentleman from Missouri (Mr. CLAY) each will control 20 minutes.

The Chair recognizes the gentleman from Nevada.

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

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

There was no objection.

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

I rise today in support of H.R. 2009, which would authorize a land exchange involving the Pacific Yaqui Tribe, the Tucson Unified School District, and the Department of the Interior. Specifically, the bill would require the Secretary of the Interior to place 40 acres of adjacent public land into trust for the tribe upon conveyance to the United States from the Tucson Unified School District.

According to the tribe, acquiring these lands will help with reservation access and prevent or control flooding during significant rain events. According to the tribe, heavy rain events occur frequently during Tucson's monsoon season.

The bill would also require the conveyance of a 13-acre parcel of public land to the Tucson Unified School District to eliminate a revisionary interest held by the United States in a 27-acre parcel previously patented to the Tucson Unified School District under
Mr. HARDY. Mr. Speaker, I yield back the balance of my time also.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nevada (Mr. HARDY) that the House suspend the rules and pass the bill, H.R. 2009, as amended.

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

A motion to reconsider was laid on the table.

RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DONOVAN) at 6 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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 3 minutes p.m.), the House stood in recess.
Mr. KATKO. Mr. Speaker, on rollcall No. 269, I was unavoidably detained. Had I been present, I would have voted “yes.”

Mr. GIROD. Mr. Speaker, on rollcall No. 269, I did events with Hoover National Security Affairs Fellows and with students at American University. I did my best to get back for all votes. Unfortunately I got caught in traffic and missed the first vote. Had I been present, I would have voted “yes.”

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So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

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A motion to reconsider was laid on the table.
CONGRESSIONAL RECORD — HOUSE

June 7, 2016

REPORT ON H.R. 5393, COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2017

Mr. CULBERSON, from the Committee on Appropriations, submitted a privileged report (Rept. No. 114–606) on the bill making appropriations for the Departments of Commerce and Justice, Science, and Related agencies for the fiscal year ending September 30, 2017, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

REPORT ON H.R. 5394, TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2017

Mr. DIAZ-BALART, from the Committee on Appropriations, submitted a privileged report (Rept. No. 114–606) on the bill making appropriations for the Departments of Transportation, Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2017, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

Mr. DIAZ-BALART, from the Committee on Appropriations, submitted a privileged report (Rept. No. 114–606) on the bill making appropriations for the Departments of Transportation, Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2017, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

Lauren Morris Schulman, on her retirement to congratulate a very dear friend, a lifelong public servant in having previously worked as a staffer in Congress with Lauren on some of the most pressing issues regarding the U.S.-Israel relationship.

Serving as AIPAC’s Florida political director, Lauren has played a key role in building a stronger U.S. alliance with our closest ally, the democratic Jewish State of Israel. Lauren has been a lifelong public servant in having previously worked as a staffer in Congress for the late E. Clay Shaw, Jr., and she also served at the county and State levels in Florida.

Lauren has a wealth of knowledge and experience that will surely be missed by all who have had the pleasure to work with her; but I am certain that Lauren is looking forward to this
exciting next chapter in her life and will enjoy spending more time with her husband, Cliff, and their children, Jake and Samantha.

I wish my good friend Lauren Schuman the best of luck, and I congratulate her on her retirement.

THE FORT HOOD, TEXAS, NINE
(Mr. POE of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE of Texas. Mr. Speaker, Texas has been hammered by historic torrential rain and flooding.

As the Texas floodwaters rose, 12 soldiers from Fort Hood, Texas, were crossing Owl Creek in a 2½-ton Light Medium Tactical Vehicle when it became stuck in the Owl Creek low water crossing. Suddenly, the vehicle was swept over and sent downstream by fast-moving water. Nine American soldiers drowned in the massacre of waters. Today, we remember them, and here they are:

Staff Sergeant Miguel Colon Vazquez, 38, from New York. He had just spent four tours of duty in Iraq and Afghanistan;

Specialist Christine Armstrong, 27, of California;

PFC Brandon Banner, 22, of Florida;

PFC Zachary Fuller, 23, of Florida;

Private Isaac Deleon, 19, of Texas. He was the youngest of all of them. He had only been in the Army for 17 months;

Private Eddy Rae'Laurin Gates, 20, of North Carolina—a former homecoming queen;

Private Tysheena James, 21, of New Jersey;

West Point cadet Mitchell Winey, 21, of Indiana;

Specialist Yingming Sun, 25, of California;

Staff Sergeant Michelle Medvigy, and Staff Sergeant Chad Jukes, who successfully climbed to the 29,000-foot summit of Mount Everest on Tuesday, May 24, 2016.

Staff Sergeant Jukes is a veteran who lost his leg while fighting in Iraq in 2006, making the feat even more amazing; and Lieutenant Earls is a Third ID soldier who is currently stationed at Fort Benning in west Georgia.

The soldiers’ goal in reaching Mount Everest is overshadowed by their ultimate goal of gaining support for veterans’ and soldiers’ mental health. With the trip to the summit, they raised $109,000 to support the mental health groups Give an Hour and Stop Soldier Suicide. The climb was the debut of U.S. Expeditions and Explorations, which is a nonprofit organization founded by Lieutenant Earls. The entire trip, including a long preparation period, lasted over a year.

I congratulate these men for reaching the summit of Mount Everest, and I thank them for their service to our Nation and to servicemen’s and -women’s mental health.

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

Mr. LAMALFA. Mr. Speaker, despite our first wet winter in California in years, misguided Federal agencies threaten to cut off the water supplies of millions of Californians.

On one hand, the National Marine Fisheries Service demands that Shasta Dam releases be drastically cut, allegedly to protect winter run salmon later on in the season. On the other hand, the Fish and Wildlife Service plans to spend as much as $150 million in buying more water be kept in the reservoirs, not for human use, but for nonhuman use. Shasta’s water demand is backed by science but, rather, by whim or by hunch. The only common theme of these contradictory Federal policies is that both plans give Californians the short end of the stick.

That is right, Mr. Speaker. Federal agencies are simultaneously demanding that more water be released from reservoirs, not for human use, and that more water be kept in the reservoirs but not for human use. Shasta’s demand is backed by science but, rather, by whim or by hunch. The only common theme of these contradictory Federal policies is that both plans give Californians the short end of the stick.

Mr. Speaker, it is time this lunacy ends and Federal agencies start making decisions based on facts, not on the contradictory whims of unelected bureaucrats, and to protect water users, especially in the North State.

SOLDIERS CLIMB TO SUMMIT OF MOUNT EVEREST
(Mr. CARTER of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARTER of Georgia. Mr. Speaker, I rise to recognize Second Lieutenant Harold Earls, Captain Elyse Ping Medvigy, and Staff Sergeant Chad Jukes, who successfully climbed to the 29,000-foot summit of Mount Everest on Tuesday, May 24, 2016.

Staff Sergeant Jukes is a veteran who lost his leg while fighting in Iraq in 2006, making the feat even more amazing; and Lieutenant Earls is a Third ID soldier who is currently stationed at Fort Benning in west Georgia.

The soldiers’ goal in reaching Mount Everest is overshadowed by their ultimate goal of gaining support for veterans’ and soldiers’ mental health. With the trip to the summit, they raised $109,000 to support the mental health groups Give an Hour and Stop Soldier Suicide. The climb was the debut of U.S. Expeditions and Explorations, which is a nonprofit organization founded by Lieutenant Earls. The entire trip, including a long preparation period, lasted over a year.

I congratulate these men for reaching the summit of Mount Everest, and I thank them for their service to our Nation and to servicemen’s and -women’s mental health.

ARIEL GRACE’S LAW
(Mr. FITZPATRICK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FITZPATRICK. Mr. Speaker, 1 year ago tomorrow, Ariel Grace’s life ended before it had a chance to begin—killed by the failure of the unsafe medical device, Essure. Despite her tragic passing, there remains no legal recourse to seek justice. That is why, on the 1-year anniversary of her death, I will introduce Ariel Grace’s Law in order to remove the broken law that prevents the families of Ariel Grace and thousands of others to have their voices heard in court.

At the same time, I will offer legislation to reform the flawed FDA process that allowed another dangerous device—a medical power morcellator—to spread deadly cancer throughout the bodies of women like Shapnel. Despite case after case, no one reported the harm to the FDA—not even their own doctors. The Medical Devices and Radiological Health Act will add doctors into the list of entities that must report unsafe devices so that lifesaving action can be taken quickly when it is needed to protect others.

The institutions and regulations that have been designed to protect our constituents from unsafe devices in these cases and others have failed. It is time we take action to address them.

LACASA CENTER
(Mr. BISHOP of Michigan asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BISHOP of Michigan. Mr. Speaker, I rise to pay tribute to a charitable organization in my district, the LACASA Center. Located in Howell, Michigan, LACASA is celebrating its 35th year of empowering and supporting victims of abuse, assault, and violence.

LACASA’s goal is to advocate for and to provide services to victims of violent crimes. It also works to educate the community on issues of domestic abuse, child abuse, and sexual assault. The services LACASA provides are instrumental in assisting members of our community, whether that comes in the form of shelter, meals, counseling, or education.

I have seen the amazing work that LACASA does firsthand, and I had the opportunity to tour the facility earlier this year. LACASA’s President and CEO is Bobette Schranda. She is a tireless advocate for those whom she serves and is an incredible asset to our community.

Mr. Speaker, I am honored to have the opportunity to pay tribute to such a charitable organization in my district.

Congratulations, LACASA, on your 35th anniversary, and thank you for your dedication to our great community.

APPOINTMENT OF INDIVIDUALS TO THE COMMISSION ON EVIDENCE-BASED POLICYMAKING
The SPEAKER pro tempore. The Chair announces the Speaker’s appointment, pursuant to section 3(a) of
hand the Evidence-Based Policymaking Commission Act of 2016 (Public Law 114-140), and the order of the House of January 6, 2015, of the following 
individuals on the part of the House to the 
Commission on Evidence-Based Policymaking.

Mr. Ron Haskins, Rockville, Maryland, Co-Chairman
Mr. Bruce Meyer, Chicago, Illinois
Mr. Robert Hahn, Hillsboro Beach, Florida

TRANSGENDER SURGERY

The SPEAKER pro tempore. Under the 
Suspended policy of January 6, 2015, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 
minutes as the designee of the majority 
leader.

Mr. GOHMERT. Mr. Speaker, as you 
know, we have had some interesting discussions here on the floor in recent 
days about transgender as a topic and 
as individuals of interest. In having 
talked a couple of times with one man 
who had been through a sex change op-
eration, what he told me was—really, 
the best expert in the world on the 
issue of transgender is the former head of 
psychiatry at Johns Hopkins, now a 
retired diplomat, but he speaks for 
himself.

Anyway, there was an article pub-
lished back in 2014 that Dr. Paul 
McHugh had updated and that has been 
republished in the Wall Street Journal 
on May 13, 2016. It is entitled 
"Transgender Surgery Isn’t the Solution: 
A drastic physical change doesn’t 
address underlying psychosocial 
troubles."

Since there are so many people who 
have opined on this subject who have 
not dealt seriously with the issue, it 
seemed like it would be helpful to read 
from this article that was written by 
what one transgender explained was a 
great article by whom he thought was 
the world’s leading expert on 
transgender issues.

□ 1930

But Dr. Paul McHugh, who obviously 
is a brilliant man and obviously a man 
who cares very deeply about individ-
uals, especially those who have 
transgender as an issue, says:

"The government and media alliance 
advancing the transgender cause has 
gone into overdrive in recent weeks. On 
May 30, a U.S. Department of Health 
and Human Services review board ruled 
that Medicare can pay for the ‘reass-
ignment’ surgery sought by the 
transgendered—those who say that 
they don’t identify with their biologi-
cal sex. Earlier last month Defense 
Secretary Ash Carter said that he was 
‘open’ to lifting a ban on 
transgender individuals serving in the 
military. Time magazine, seeing the 
trend, ran a cover story for its June 9 
issue called ‘The Transgender Tipping 
Point: America’s next civil rights fron-
tier.’

‘Yet policymakers and the media are 
doing no favors either to the public or 
the transgendered by treating their 
confusions as a right in need of defend-
ing rather than as a mental disorder 
that deserves understanding, treat-
ment, and prevention. This intensely 
felt sense of being transgendered con-
tinues to be a two re-
spects. The first is that the idea of sex 
misalignment is simply mistaken—it 

Dr. McHugh makes really important 
points as he goes forward:

"With this argument, advocates for 
the transgendered have persuaded sev-
eral states—including California, New 
Jersey, and Massachusetts—to pass 

laws barring physicians, even with 

medical permission, from striving to 
restore natural gender feelings to a 
transgender minor. That government 
can intrude into parents’ rights to seek 
help in guiding their children indicates 
how powerful these advocates have 
become.

He goes on:

"How to respond? Psychiatrists obvi-
ously must challenge the solipsistic 
concept that what is in the mind 
cannot be questioned. Disorders of con-
sciousness, after all, represent psychia-
try’s domain; declaring them off-limits 
would eliminate the field.”

We are talking about psychiatry.

Dr. McHugh says:

"Many will recall how, in the 1990s, 
an accusation of parental sex abuse of 
children was deemed unquestionable by 
the solipsists of the ‘recovered mem-
ory’ craze.”

Dr. McHugh goes on and says:

"The debate isn’t heard from those 
championing transgender equality, but 
contrived and follow-up studies reveal 

fundamental problems with this move-
ment. When children who reported 
transgender feelings were tracked with 
medical or surgical treatment at 
both Vanderbilt University and Lon-
don’s Portman Clinic, 70%-80% of them 
spontaneously lost those feelings. 
Some 25% did have persisting feelings; 
what differentiates those individuals 
remains to be discerned.”

As he pointed out on the air about 10 
days ago, we all can recall girls we 
grew up with that were considered 
tomboys, who later grew up to be quite 
beautiful and quite feminine. They 
didn’t need any liberals rushing in and 
forcing them to go in the boy’s rest-
room because they identified more 
with what boys were doing.

But Dr. McHugh goes on in his arti-
cle, and he says:

"As he pointed out on the air about 10 
days ago, we all can recall girls we 
grew up with that were considered 
tomboys, who later grew up to be quite 
beautiful and quite feminine. They 
didn’t need any liberals rushing in and 
forcing them to go in the boy’s rest-
room because they identified more 
with what boys were doing.

But Dr. McHugh goes on in his arti-
cle, and he says:

"We at Johns Hopkins University— 
which in the 1960s was the first Amer-
ican medical center to venture into 
sex-reassignment surgery”—launched 
a study in the 1970s comparing the out-
comes of transgendered people who had 
the surgery with the outcomes of those 
who never sought it.

I will insert parenthetically that I 
recall reading that Johns Hopkins 
medical center had been the first hos-
pital in the United States to begin 
doing sex change operations back in the 
’60s. I remembered reading that. I 
never remembered reading that they 
ever stopped.

But Dr. McHugh’s article points out—and I am going back and reading 
from the article:

"Most of the surgically treated pa-
tients described themselves as ‘satis-
fied’ by the results, but their subse-
quent psycho-social adjustments were 
no better than those who didn’t have
the surgery. And so at Johns Hopkins we stopped doing sex-reassignment surgery, since producing a ‘satisfied’ but still troubled patient seemed an inadequate reason for surgically amputating normal organs.

“Indeed, it appears that our long-ago decision was a wise one.”

Well, Mr. Speaker, I never remembered reading anywhere and I don’t recall articles talking about how Johns Hopkins said, look, we are having no better mental, emotional results from those who have had the surgery, so we are going to stop doing the surgery. This was Johns Hopkins; they were on the cutting edge of trying to advance gender change or sex change operations. They were doing those originally.

This forward-looking, people-caring institution at Johns Hopkins medical center decided years ago that we may be doing more harm than good and are going to stop doing sex change surgery. So no one can accuse them of trying to make more money—because obviously they would make money from the sex change operations—and not make more research stopping the sex change operations. But apparently those in charge at Johns Hopkins took rather serious the idea that doctors should first do no harm.

He goes on and points out in his article: “A 2011 study at the Karolinska Institute in Sweden produced the most illuminating results yet regarding the transgendered, evidence that should give everyone pause. The long-term study—up to 30 years—followed 324 people—so they have got hundreds in their database here and are following for 30 years—who had sex-reassignment surgery. The study revealed that beginning years after the surgery, the transgendered began to experience increasing mental difficulties. Most shockingly, their suicide mortality rose almost 20-fold above the comparable nontransgendered population. Disturbing results as yet no explanation but probably reflect the growing sense of isolation reported by the aging transgendered after surgery. The high suicide rate certainly challenges the surgery prescription.”

Now, Mr. Speaker, I know there are people on the floor that are pushing for civil rights equality for the transgender and to let them go into whatever restrooms they feel like representing the gender they are at that particular time, but the studies have shown that when someone has a general dissatisfaction with their biological sex, that doing the surgery to make them that sex gives them 20 times more likelihood of committing suicide.

I don’t believe our President wants people to commit suicide at 20 times the rate of nontransgendered people, yet what he is urging right now, the best studies in the world indicate will be the outcome. What this President is doing at one point in their lives have a general dissatisfaction, or dysphoria, with their biological sex is causing more damage for these individuals down the road than he will be around to do anything about. It is not enriching to say, “I care more than you do for those who want men to go in girls dressing rooms and bathrooms” when you are doing the kind of harm that the best studies in the world are showing has been done.

Back to Dr. McHugh’s article, he says: “There are subgroups of the transgendered, and for none does ‘reassignment’ seem apt. One group includes male prisoners like Pvt. Bradley Manning, the convicted national-security leaker who now wishes to be called Chelsea. As the rigors of a men’s prison, they have an obvious motive for wanting to change their sex and hence their prison. Given that they committed their crimes as males, they should be punished as such; after serving their time, they will then be free to reconsider their gender.”

Another subgroup consists of young men and women susceptible to suggestion from ‘everything is normal’ sex education, amplified by Internet chat rooms. These transgender subgroups most like anorexia nervosa patients: they become persuaded that seeking a drastic physical change will banish their psycho-social problems. ‘Diversity’ counselors in their schools, rather like cult leaders, may encourage these young people to distance themselves from their families and offer advice on rebutting arguments against having transgender surgery. Treatment here must begin with removing the young person from the suggestive environment and offering a counter-message in family therapy.”

That is not me. That is what one transgendered gentleman who has had the sex change operation and knows more about transgender than any M.D. in the world, Dr. Paul McHugh. Now, Dr. McHugh, when I talked to him, said he thinks there are some others who know more, but they support his positions on what he is saying, which helps his political. But Dr. McHugh goes on: “Then there is the subgroup of very young, often precocious children who notice distinct sex roles in the culture and, exploring how they fit in, begin imitating the opposite sex. Misguided doctors at medical centers including Boston’s Children’s Hospital have begun trying to treat this behavior by administering puberty-delaying hormones to render later sex change surgeries less onerous—even though the drugs stunt the children’s growth and affect their sexuality. Given that close to 80 percent of such children would abandon their confusion and grow naturally into an adult life if untreated, these medical interventions come close to child abuse. A better way to help these children: with devoted parenting.”

This psychiatrist says: “At the heart of the problem is confusion over the meaning of ‘transition’—the change is biologically impossible. People who undergo sex reassignment surgery do not change from men to women or vice versa. Rather, they become feminized men or masculinized women. Claiming that this is a civil rights movement and encouraging intervention is in reality to collaborate with and promote a mental disorder”—or mental dysphoria, if you would rather.

Then I have this article from Walt Heyer. Having visited with Walt, I have eminent respect for this man who underwent a sex change operation from man to woman years ago. He is now in his seventies. This is his article published in The Daily Signal May 16 of this year of long essay.

He says: “President Barack Obama, the titular head of the LGBT movement, has added to the firestorm of confusion, misunderstanding, and fury surrounding the transgender bathroom debate by threatening schools with loss of Federal funding unless they allow students to join the sex-segregated restroom, locker room, and sports teams of their chosen gender, without regard to biological reality.”

I know firsthand what it is like to be a transgender person—and how misguided it is to think one can change gender through hormones and surgery.”

Walt Heyer says: “His action,” talking about President Obama, “comes after weeks of protest against the State of North Carolina for its so-called anti-LGBT bathroom bill.”

“As someone who underwent surgery from male to female and lived as a female for 8 years before returning to living as a man, I know firsthand what it is like to be a transgender person—and how misguided it is to think one can change gender through hormones and surgery.”

“And I know that the North Carolina bill and others like it are not anti-LGBT.”

He says: “I is for lesbian. The bill is not anti-lesbian because lesbians have no desire to enter a stinky men’s restroom. Lesbians will use the women’s room without a second thought. So the law is not anti-L. “G is for gay. Gay men have no interest in using women’s bathrooms. So the law is not anti-G. “B is for bisexual. The B in the LGBT have never been confused about their gender. There is also a sexual preference only that doesn’t affect choice of restroom or locker.”

But he says: “The North Carolina law is not anti-transgender. The law clearly states that the appropriate restroom is the one that corresponds to the gender stated on the birth certificate. Therefore, a transgender person with a birth
certificates that read 'female' uses the female restroom, even if the gender noted at birth was male.

"So, you see, the law is not anti-LGBT. What then is all the uproar about?"

Walt Heyer goes on, he says: "What has arisen is a new breed emerging among young people that falls outside the purview of the LGBT: the gender nonconformists."

"Gender nonconformists, who constitute a minuscule fraction of society, want to be allowed to designate a gender on a fluid basis, based on their feelings at the moment."

Walt Heyer says: "I call this group 'gender defiant' because they protest against the definition of fixed gender identities of male and female. The gender defiant group doesn't want to conform, comply, or identify with traditional gender norms of male and female. They want to have gender fluidity, flowing freely from one gender to another, by the hour or day or week, until they feel like it."

Mr. Speaker, coming from a transgender individual who had sex change surgery, this is quite an article.

He goes on to say: "Under the cover of the LGBT, the anti-gender faction and its supporters are using the North Carolina bathroom bill to light a fuse to blow up factual gender definitions."

"He does not grasp the biological fact that genders are not fluid, but fixed: male and female."

"Obama is championing the insanity of eliminating the traditional definition of gender. He does not grasp the biological fact that genders are not fluid, but fixed: male and female."

"Here I would also like to insert parenthetically, this is not from Walt Heyer. But in talking with Dr. McHugh, who had headed up psychiatry for so many years at Johns Hopkins, who cares deeply about people who are confused over gender, he was pointing out—he brought up the MMPI and asked if I knew what that was. Well, I knew. It is the Minnesota Multiphasic Personality Index, as I recall. But it is a personality test, and as far as I know, it is the most complete testing any- body of personality. It has different scales in there, and as Dr. McHugh pointed out, scale 5 is masculine at one end, feminine at another end."

"Based on the questions that are asked, the MMPI score gives an indication of the male-female scale as to where someone is in that scale. It has nothing to do with biological sex. Apparently, most of us may have different places on that scale at different ages, and there is nothing abnormal about that."

"People are to be comforted and counseled, not have laws passed that they can't get help from their parents, they can't get help from loving counselors, they can't get help from psychiatrists."

As Dr. McHugh pointed out, when these States like California and New Jersey pass laws that some confused minor with no biological indications of a problem, so the problem is all in the mind, they are saying you can't get counseling for what is all in the mind, as Dr. McHugh says sarcasti- cally, you might as well outlaw all of psychiatry because what they deal with are things that have not pre- sented a biological scientific issue."

"Going back to Walt Heyer's article, he says: "Gender nonconformists, who constitute a minuscule fraction of society, want to be allowed to designate gender on a fluid basis, based on their feelings at the moment."

"He said: "I call this group 'gender de- fiant' because they protest against the definition of fixed gender identities of male and female. The gender defiant group doesn't want to conform, comply, or identify with traditional gender norms of male and female."

And I know I have read this, but this is so critical. He says: "Under the cover of the LGBT, the anti-gender faction and its supporters are using the North Carolina bathroom bill to light a fuse to blow up factual gender definitions."

"Now, going on: "Using the power of his position," talking about our Presi- dent, "to influence the elimination of gender, overruling science, genetics, and biblical beliefs, is Obama's display of political power."

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"One fact will remain, no matter how deep in the tank Obama goes for the gender nonconformists, genetics and God's design of male and female, no matter how repugnant that is to some, cannot be changed. Biological gender remains fixed no matter how many cross-gender hormones are taken or cross-gender operations are performed. No law can change the genetic and biblical truth of God's design. Using financial blackmail to achieve the elimination of gender will become Obama's ugly legacy."

"Now that is from a guy who has had the surgery, who has had the hormones. He has been through it all. Walt Heyer has a blog. He has overcome his alcohol addiction. I asked him—I don't think I'll ever mind me repeating—I said that we learned from the Swedish study over 30 years, people that have had these sex change operations are 20 times more likely to commit suicide."

I said: Did those thoughts enter your mind—suicidal ideations? And he indi- cated yes, that he did commit sui- cide. I didn't elaborate. This is a man that knows, and so is Dr. Paul McHugh.

To try to make this a new civil rights issue holds these people up for political football. Everybody knows footballs get changed out from game to game. Some political football will be the new football in another game.

I doubt that the people in this room that have been through the road—as a football will go back like the Swedish study or the Johns Hopkins study did and see the damage that has been done. Eighty percent, if left untreated, have very, very normal lives and normal mental affection down the road. They are left untreated. But my friends who support this want to make them a pol- itical football.

We have this article, then, from June 3. Melody Wood wrote the headline: 6 Men Who Disguised Themselves as Women to Access Bathrooms."

She reports: "The Obama administration has unlawfully rewritten law, meddling in State and local matters, and imposing by executive order on the entire nation."

"Americans agree that while we should be sensitive to transgender individ- uals, others also have rights of pri- vacy, safety, and their own beliefs that deserve respect and should not simply be ignored. When transgender persons can be accommodated in other ways.

"The risk to the privacy and safety of women and girls is real. There have been numerous cases in recent years of men crossing, claiming to be transgender in order to access women's bathrooms and locker rooms for inappropriate purposes."

"Here are six examples:

In 2009, a sex offender named Rich- ard Rendler was arrested for wearing fake breasts and a wig while loitering in a woman's restroom in Campbell, California, shopping center. Rendler had previously been arrested on charges of child molestation and indec- eency.

In 2010, Berkeley police arrested Gregorio Hernandez. Hernandez had disguised himself as a woman on two separate occasions to get inside a UC Berkeley locker room. Once in the locker room, Hernandez allegedly used his cell phone to photograph women.

In 2013, Jason Pomare was arrested for cross-dressing in order to gain access to the women's restroom at a Macy's department store in Palmde, Florida. Pomare snuck a video cam- era in to secretly videotape women while they used the restroom.

In 2014, Christopher Hambrock—who faked being a transgender person named Jessica—was jailed in Toronto, Canada. Hambrock preyed on women at two Toronto shelters, and had previously preyed on other women and girls as young as five years old to as old as 53. Hambrock's case in par- ticular shows the importance of pro- tecting the privacy and safety of some of our most vulnerable citizens: the homeless and others who seek emer- gency shelter. And yet, the Obama ad- ministration recently proposed a rule
That created a problem for me as one who has sentenced felons up to and including the death penalty, because from the testimony we heard over and over, those who used to be called sociopaths under the old DSM-II became antisocial personality disorder. But the testimony was that if someone had just chose to do wrong. And they would pick victims at random. They didn't really care.

The people that testified in my court repeated: If someone has this antisocial personality disorder, formerly sociopath, psychopath, they had less chance of being reformed and coming out of prison and shying away from wrongdoing. A lesser chance of reforming them.

Whereas the testimony indicated in different cases that if someone committed an act in the heat of passion—often it was a one-time crime that had to be punished for its own crime's sake, but that they were not likely to ever commit another. There were some who committed crimes. They were not antisocial personality, but they had been brought up to hate a specific group or people, and they committed some act or crime against them.

I made sure that they picked their victim because of their sexual orientation—if they committed an assault of any kind, up to and including murder, I made sure that they were punished severely for the crime they committed, because every person deserves to be protected from an assault.

So hate crimes come in. And those who chose a person based on a hatred they were taught, there are indications that there have been some great successes with confrontations between them after they were sentenced with victims or victims families in which the person who was not an antisocial person—where the defendant would apologize and beg for forgiveness and never have that kind of hatred again and begin associating with people, whether they were of a different race, creed, color, or gender. They had a better chance of being rehabilitated.

Yet, the hate crime law came in. In fact, under the Federal law, if you convince a jury—just raise a reasonable doubt as a defendant—I didn't pick that victim because they were this, that, or the other; I just wanted to shoot somebody that day—if you raise a reasonable doubt that you may have randomly picked the victim, it is a complete defense to the Federal hate crime law. That is a messed up law.

I also gave the example that, based on so many of the hate crime laws, you could someday—and I was called crazy and all kind of names for giving this example—but the example I thought many years ago that was appropriate, based on the hate crimes legislation, is that we would have a situation where a mother and her young daughter are standing on a street corner, somebody opens their trench coat and flashes the daughter, and the mother, out of that protective instinct they have to protect the child, hits the flasher with her purse.

The flasher—in a lot of jurisdictions, that is a minimal misdemeanor—probably would never do any jail time. He might have to pay a fine, spend a day in jail. But because the woman hit him because of his sexual orientation toward flashing, then she is now guilty under many hate crime laws of committing a felony and can get prison time under these misguided hate crime laws. And I warned that we would get to this point.

And then when I hear on the news some woman got mad when a guy came in dressed as a woman, scared her, and she hit him, then she gets arrested. This is what happens. This is the kind of miscarriage of justice you get when we don't base laws on facts.

And then we have this article from Rebecca Kheel. Of course, most of us have heard the headlines. We know the Department of Veterans Affairs, or the VA, has had problems. People have been dying while waiting to get the treatment they needed.

And now the VA proposes covering surgeries for transgender vets. They are not even taking care of the vets when they need help, and now they are going to take up a procedure that Johns Hopkins says does more harm than good, that the best study in the world from Sweden says they are going to be 20 times more likely to kill themselves.

Have we not lost enough veterans already? The VA wants to make them 20 times more vulnerable to suicide than they already are?

It is time to stop the nonsense. And I would submit, Mr. Speaker, having reviewed the information that Dr. Paul McHugh from Johns Hopkins provided and Walt Heyer provided and that I looked into based on their direction, one thing is imminently clear: the issue of transgender is not based on biological science, it is not based on medical science, it is not based on physical science, it is not based on chemical science. There is only one science that this whole transgender issue before the Congress is based on, and that is political science.

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

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate agree to the amendment of the House to the amendment of the Senate to the bill (H.R. 2576) “An Act to modernize the Toxic Substances Control Act, and for other purposes.”.
account of his flight being delayed from Miami to Washington, D.C.

Mr. DUFFY (at the request of Mr. McCARTHY) for today and June 8 on account of the birth of his child.

Mrs. MIMI WALTERS of California (at the request of Mr. McCARTHY) for today and June 8 on account of business in the district.

Ms. BROWN of Florida (at the request of Ms. PELOSI) for today on account of family and health issues.

Mr. PAYNE (at the request of Ms. PELOSI) for today on account of official business.

Mr. SWALWELL of California (at the request of Ms. PELOSI) for today on account of primary election day in California.

Ms. MAXINE WATERS of California (at the request of Ms. PELOSI) for today.

**BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT**

Karen L. Haas, Clerk of the House, reported that on June 3, 2016, she presented to the President of the United States, for his approval, the following bills:

H.R. 3061. To designate the facility of the United States Postal Service located at 7715 Post Road, North Kingstown, Rhode Island, as the “Melviod J. Benson Post Office Building.”

H.R. 3735. To designate the facility of the United States Postal Service located at 200 Town Run Lane in Winston Salem, North Carolina, as the “Maya Angelou Memorial Post Office.”

H.R. 3866. To designate the facility of the United States Postal Service located at 1265 Hayriff Road in Deptford Township, New Jersey, as the “First Lieutenant Salvatore S. Corma II Post Office Building.”

H.R. 4096. To designate the facility of the United States Postal Service located at 220 East Oak Street, Glenwood City, Wisconsin, as the Second Lt. Ellen Ainsworth Memorial Post Office.

H.R. 4095. To designate the facility of the United States Postal Service located at 615 6th Avenue SE in Cedar Rapids, Iowa, as the “Sgt. 1st Class Terry L. Pasker Post Office Building.”

H.R. 136. To designate the facility of the United States Postal Service located at 1103 USPS Building 1103 in Camp Pendleton, California, as the “Camp Pendleton Medal of Honor Post Office.”

H.R. 433. To designate the facility of the United States Postal Service located at 523 East Broad Street in Knox, Pennsylvania, as the “Specialist Bertha A. McGinnis Memorial Post Office.”

H.R. 1132. To designate the facility of the United States Postal Service located at 1048 West Robinhood Drive in Stockton, California, as the “W. Ronald Coale Memorial Post Office Building.”

H.R. 2458. To designate the facility of the United States Postal Service located at 5351 Lapalco Boulevard in Marrero, Louisiana, as the “Lionel R. Collins, Sr. Post Office Building.”

H.R. 2928. To designate the facility of the United States Postal Service located at 201 B Street in Perryville, Arkansas, as the “Harold George Bennett Post Office.”

H.R. 3082. To designate the facility of the United States Postal Service located at 5919 Chief Manuel Ortega Annex, Louisiana, as the “Daryle Holloway Post Office Building.”

H.R. 3274. To designate the facility of the United States Postal Service located at 4967 Rockbridge Road in Pine Lake, Georgia, as the “Francis Manuel Ortega Post Office.”

Karen L. Haas, Clerk of the House, further reported that on June 6, 2016, the President of the United States, for his approval, the following joint resolution:

H.J. Res. 88. Disapproving the rule submitted by the Department of Labor relating to the definition of the term “Fiduciary.”

**EXECUTIVE COMMUNICATIONS, ETC.**

Under clause 2 of rule XIV, executive communications from the Speaker’s table and referred as follows:

5577. A letter from the Chair, Board of Governors of the Federal Reserve System, transmitting the Board’s 102nd Annual Report for calendar year 2015, to the Committee on Financial Services.


5579. A letter from the Regulations Coordinator, Administration for Community Living, Department of Health and Human Services, transmitting the Department’s final rule — Administration for Community Living Regulatory Coordinator’s Report received June 2, 2016, pursuant to 5 U.S.C. 801(a)(1); Public Law 114-121, Sec. 251; (114 Stat. 868); to the Committee on Energy and Commerce.

5580. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency’s final rule — Partial Approval and Partial Disapproval of State Implementation Plans; Arizona; Infrastructure Requirements to Address Interstate Transport for the 2008 Ozone NAAQS; Correction [EPA-RI-OAR-2015-0793; FRL-9497-27-Region 9] received June 1, 2016, pursuant to 5 U.S.C. 801(a)(1); Public Law 114-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5581. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency’s final rule — Approval of the Final Administrative Determination of a Financial Responsibility Finding for the State of Arizona; Final Action for the six-month period from October 1, 2015 through March 31, 2016, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1163); to the Committee on Oversight and Government Reform.

5582. A letter from the Inspector General, Department of Agriculture, transmitting the Department’s Inspector General Semiannual Report to Congress and Required Final Report to Congress for the period from October 1, 2015 through March 31, 2016, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1163); to the Committee on Oversight and Government Reform.

5583. A letter from the Secretary, Department of the Treasury, transmitting a six-month period report on the national emergency with respect to the Western Balkans that was declared in Executive Order 13292 of June 26, 2008, pursuant to 5 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec 294(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

5584. A letter from the Secretary, Department of the Treasury, transmitting six-month period report on the national emergency with respect to the Wyoming that was declared in Executive Order 13292 of June 26, 2008, pursuant to 5 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec 294(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

5585. A letter from the Assistant Legal Adviser, Office of Treaty Affairs, Department of State, transmitting a report concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act, pursuant to 1 U.S.C. 112(b)(1); Public Law 92-403, Sec. 1; (86 Stat. 619); to the Committee on Foreign Affairs.

5586. A letter from the Assistant Secretary of the Executive Office, Corporation for National and Community Service, transmitting the Corporation’s Inspector General Semiannual Report to Congress and Final Report to Congress for the period from October 1, 2015 through March 31, 2016, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1163); to the Committee on Oversight and Government Reform.

5587. A letter from the Inspector General, Department of Agriculture, transmitting the Department’s Inspector General Semiannual Report to Congress for the period from October 1, 2015 through March 31, 2016, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1163); to the Committee on Oversight and Government Reform.

5588. A letter from the Deputy Secretary, Department of Defense, transmitting the Department’s Inspector General Semiannual Report to Congress for the period from October 1, 2015 through March 31, 2016, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1163); to the Committee on Oversight and Government Reform.

5589. A letter from the Deputy Secretary, Department of Defense, transmitting the Department’s Inspector General Semiannual Report to Congress for the period from October 1, 2015 through March 31, 2016, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1163); to the Committee on Oversight and Government Reform.

5590. A letter from the Board Chairman, Farm Credit System Insurance Corporation, transmitting the Corporation’s final rule — Rules of Practice and Procedure; Adjusting Civil Money Penalties for Inflation (RIN:...
5600. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Block Island Wind Farm; Rhode Island Sound, RI [Docket No.: USCG-2016-0026] (RIN: 1625-AA00) received June 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 Transportation and Infrastructure.

5610. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Upper Mississippi River, Minneapolis, MN [Docket No.: USCG-2016-0538] (RIN: 1625-AA00) received June 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 Transportation and Infrastructure.

5611. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; National Grid — Beck Lockport 104 & Beck Harper 106 Removal Project; Niagara River, Lewiston, NY [Docket No.: USCG-2016-0265] (RIN: 1625-AA00) received June 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 Transportation and Infrastructure.

5612. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Cape Fear River; Southport, NC [Docket No.: USCG-2016-0306] (RIN: 1625-AA00) received June 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 Transportation and Infrastructure.

5614. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Annual events requiring safety zones in the Captain of the Port Area Off Long Beach, CA [Docket No.: USCG-2015-1081] (RIN: 1625-AA00) received June 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 Transportation and Infrastructure.

5615. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Hudson River, Jersey City, NJ, Manhattan, NY [Docket No.: USCG-2016-0040] (RIN: 1625-AA00) received June 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 Transportation and Infrastructure.

5616. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security — Anchorage Regulations; Delaware River, Philadelphia, PA [Docket No.: USCG-2015-0825] (RIN: 1625-AA01) received June 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 Transportation and Infrastructure.
Security, transmitting the Department's temporary final rule — Safety Zone; Newport Beach Harbor Grand Canal Bridge Construction; Newport Beach, CA [Docket No.: USCGL-2016-0215] received June 1, 2016, pursuant to 5 U.S.C. 801(a)(1); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5617. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Pacific Ocean, North Shore Oahu, HI — Recovery Operations [Docket No.: USCGL-2016-0272] (RIN: 1625-AA00) received June 1, 2016, pursuant to 5 U.S.C. 801(a)(1); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5618. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Security Zone; Port of New York, moving Security Zone; Cana
dian Naval Vessels [Docket No.: USCGL-2016-0215] (RIN: 1625-AA67) received June 1, 2016, pursuant to 5 U.S.C. 801(a)(1); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5619. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Tall
guip Shigahawks Moc; Thames River, New London, CT [Docket No.: USCGL-2016-0250] (RIN: 1625-AA00) received June 1, 2016, pursuant to 5 U.S.C. 801(a)(1); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5620. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Special Local Regulations, Rec
curring Marine Events in Captain of the Port Long Island Sound Zone [Docket No.: USCGL-2015-0100] (RIN: 1625-AA00) received June 1, 2016, pursuant to 5 U.S.C. 801(a)(1); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5621. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zones: Upper Mississippi River between mile 179.2 and 189.5, St. Louis, MO and between mile 839.5 and 848, St. Louis, MO [Docket No.: USCGL-2016-0054] (RIN: 1625-AA00) received June 1, 2016, pursuant to 5 U.S.C. 801(a)(1); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5622. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Sabine River, Orange, Texas [Docket No.: USCGL-2016-0021] (RIN: 1625-AA00) received June 1, 2016, pursuant to 5 U.S.C. 801(a)(1); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5623. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Special Local Regulation; Lake of the Ozarks, Lakeside, MO [Docket No.: USCGL-2016-0276] (RIN: 1625-AA00) received June 1, 2016, pursuant to 5 U.S.C. 801(a)(1); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5624. A letter from the Assistant Secretary, Legislative Affairs, Department of Transportation, transmitting a report to the Congress concerning the extension of waiver authority for Turkmenistan, pursuant to 19 U.S.C. 2423(d)(1); Public Law 93-618, Sec. 402(d)(1); (88 Stat. 2056); to the Committee on Ways and Means.

5625. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report to the Congress concerning the extension of waiver authority for Belarus, pursuant to 19 U.S.C. 2423(d)(1); Public Law 93-618, Sec. 402(d)(1); (88 Stat. 2056); to the Committee on Ways and Means.

5626. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Presidential Determination No. 2016-07-S, Safety Zone surrounding the Jerusalem Embassy Act, pursuant to Public Law 104-45, Sec. 7(a); (109 Stat. 400); jointly to the Committees on Foreign Affairs and Appropriations.

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. UPTON: Committee on Energy and Commerce. H.R. 4775. A bill to facilitate efficient State implementation of ground-level ozone standards, and for other purposes (Rept. 114-598, Pt. 3). Referred to the Committee of the Whole House on the state of the Union.

Mr. BRADY of Texas: Committee on Ways and Means. H.R. 5273. A bill to amend title XVIII of the Social Security Act to provide for regulatory relief under the Medicare program for certain providers of services and supplies in hospital inpatient coding and enrollment data, and for other purposes; with an amendment (Rept. 114-604, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. CULBERSON: Committee on Appropriations. H.R. 5393. A bill making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2017, and for other purposes (Rept. 114-605). Referred to the Committee of the Whole House on the state of the Union.

Mr. DIAZ-BALART: Committee on Appropriations. H.R. 5349. A bill making appropriations for the Departments of Transportation and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2017, and for other purposes (Rept. 114-606). Referred to the Committee of the Whole House on the state of the Union.

Mr. WOODALL: Committee on Rules. House Resolution providing for consideration of the bill (H.R. 4775) to facilitate efficient State implementation of ground-level ozone standards, and for other purposes; providing for consideration of the concurrent resolution (H. Con. Res. 89) expressing the sense of Congress that a carbon tax would be detrimental to the United States economy; and providing for the consideration of the concurrent resolution (H. Con. Res. 112) expressing the sense of Congress opposing the President’s proposed $10 tax on every barrel of oil (Rept. 114-407). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on Energy and Commerce discharged the consideration of the Concurrent Resolution H. Con. Res. 5273 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 Mrs. WATSON COLEMAN:

H.R. 3385. A bill to amend the Homeland Security Act of 2002 to make technical corrections to the requirement that the Secretary of Homeland Security submit quad
decennial financial statements, and for other purposes; to the Committee on Homeland Security.

By Mr. ESHOO (for herself, Mr. GREGG, Ms. HELMER, Mr. LEFKOWITZ, Ms. MALATINO, Mr. CARDENAS, Mr. TEL LUZ of California, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. HARSTEN, Ms. TSANG, Ms. SCHAKOWSKY, Mr. MURPHY of Florida, Ms. TITUS, Mr. MCGOVERN, Mr. COSTA, and Mr. FUCAN):

H.R. 3386. A bill to amend the Federal Election Campaign Act of 1971 to require can
didates of major parties for the office of President to disclose recent tax return infor
mation; to the Committee on Ways and Means, 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 provi
dions as fall within the jurisdiction of the committee concerned.

By Mr. ENGEL (for himself and Mr. CROWLEY):

H.R. 3387. A bill to authorize actions to ad
cance the United States-India relationship, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Com
mittees on Ways and Means, and Armed Services, for a period to be subsequently de
termined by the Speaker, in each case for consideration of such provisions as fall within
in the jurisdiction of the committee concerned.

By Mr. RATCLIFFE (for himself and Mr. MCCAUl):

H.R. 3388. A bill to amend the Homeland Security Act of 2002 to provide for innovative research and development, and for other purposes; to the Committee on Homeland Secu
rity.

By Mr. RATCLIFFE (for himself, Mr. MCCAUl, and Mr. THOMPSON of Mis
sissippi):

H.R. 3389. A bill to encourage engagement between the Department of Homeland Secu
rity and technology innovators, and for other purposes; to the Committee on Home
land Security.

By Mr. MCCAUl (for himself, Mr. RATCLIFFE, and Ms. JACKSON LEE):

H.R. 3390. A bill to amend the Homeland Security Act of 2002 to authorize the Cyber
security and Infrastructure Protection Agen
cy of the Department of Homeland Security, and for other purposes; to the Committee on Homeland Security, and in addition to the Committees on Energy and Commerce, Over
sight and Government Reform, and Transport
ation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provi
dions as fall within the jurisdiction of the committee concerned.

By Mr. RICHMOND:

H.R. 3391. A bill to amend the Homeland Security Act of 2002 to enhance certain du
ties of the Domestic Nuclear Detection Of
ce, and for other purposes; to the Com
mittee on Homeland Security.

By Mr. YOUNG of Iowa:

H.R. 3392. A bill to direct the Secretary of Veterans Affairs to improve the Veterans Crisis Line; to the Committee on Veterans' Affairs.
MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

250. The SPEAKER presented a memorial of the Legislature of the State of Oklahoma, relative to Senate Joint Resolution No. 4, requesting the Congress of the United States to call a convention of the states to propose amendments to the Constitution of the United States; to the Committee on the Judiciary.

251. Also, a memorial of the Legislature of the State of Oklahoma, relative to Senate Joint Resolution No. 4, requesting the Congress of the United States to call a convention of the states to propose amendments to the Constitution of the United States; 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 statement was submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mrs. WATSON COLEMAN: H. Res. 585.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Ms. ESHOO: H. Res. 5386.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. ENGEL: H. Res. 5387.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. RATCLIFFE: H. Res. 5388.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. DIAZ-BALART: H. Res. 5394.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: “No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . . .” In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides: “The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States . . . .” Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

H. Res. 786. A resolution recognizing the sense of the House of Representatives that it is in the United States’ national security interest for Israel to maintain control of the Golan Heights; to the Committee on Foreign Affairs.

Further, this statement of constitutional authority is made for the sole purpose of compliance with clause 7 of Rule XII of the Rules of the House of Representatives and shall have no bearing on judicial review of the accompanying bill.

By Mr. YOUNG of Iowa: H. Res. 792.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: “No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . . .” In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides: “The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States . . . .” Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.
By Mr. BURGESS:
H.R. 5395.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 1, of the United States Constitution, which grants Congress the power to regulate commerce with foreign nations, and among the several states, and with the Indian tribes.

Article 1, Section 8, Clause 18, of the United States Constitution, which grants Congress the power to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by the Constitution in the Government of the United States or in any Department or Officer thereof.

By Mr. McDERMOTT:
H.R. 5396.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 1

By Mr. REICHERT:
H.R. 5397.
Congress has the power to enact this legislation pursuant to the following:
The Congress enacts this bill pursuant to Article 1, Section 8 of Article I of the United States Constitution.

By Mr. RICE of South Carolina:
H.R. 5398.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 4 of the United States Constitution

By Mr. ROB of Tennessee:
H.R. 5399.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8 of the United States Constitution

By Mr. TOM PRICE of Georgia:
H.R. 5400.
Congress has the power to enact this legislation pursuant to the following:
Clause 1, Section 8 of Article 1 of the United States Constitution which reads: “All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.”

Clause 1, Section 8 of Article 1 of the United States Constitution which reads: “The Congress shall have Power to lay and collect Taxes, Duties, Imposts, and Excises, to pay the Debts, and provide for the common Defense and General Welfare of the United States; but all Duties and Imposts and Excises shall be uniform throughout the United States.”

By Ms. VELÁZQUEZ:
H.R. 5401.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 1

“The Congress shall have Power to . . . provide for the . . . general Welfare of the United States.”

By Mr. YOUNG of Alaska:
H.R. 5402.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 18

“To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.”

ADDITIONAL SPONSORS
Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 140: Mr. GOODLATTE.
The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER
The Chaplain, Dr. Barry C. Black, offered the following prayer:
Let us pray.
Eternal God, who knows what is best for us, we submit today to Your loving providence. Continue to be our refuge and strength, a very present help in the time of trouble. May we never forget that nothing in all creation can separate us from Your love.

Bless our lawmakers. Fill their hearts with such love for You that no difficulty or hardship will prevent them from obeying Your precepts. Help them to remember that those who walk in integrity travel securely.

Lord, strengthen their resolve to serve You as they should and in doing so may they become more aware of Your continuous presence.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE
The President pro tempore led the Pledge of Allegiance, as follows:
I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MINORITY LEADER
The PRESIDING OFFICER (Mr. COTTON). The Democratic leader is recognized.

DONALD TRUMP AND THE JUDICIARY COMMITTEE CHAIRMAN
Mr. REID. Mr. President, the Republican nominee of our great country continues to attack a Federal judge because of his Mexican heritage. This is not only wrong, it is racist and un-American. It is also a fundamental attack on the American judiciary system.

When issues like these arise, the Nation has historically looked to the Senate for leadership. In particular, throughout our history, the Senate Judiciary Committee has been a bastion of independence and bipartisanship. When Federal judges are under assault, we should expect the chairman of the Judiciary Committee to rise above politics and condemn racism—but not this Judiciary chairman who is now the chairman of the committee in the United States Senate, not the senior United States Senator from Iowa.

Instead of a bold feat of bipartisanship, we are left with yet another example of how he has become the most partisan Judiciary chairman in the history of America. Instead of rising above partisanship and condemning Trump’s racist attacks on a highly qualified judge—by the way, who was born in Indiana—Senator GRASSLEY kisses Trump’s ring and toes the party line. Instead of condemning Trump, GRASSLEY defended him.

His rationale is mind-boggling. Listen to this: Senator GRASSLEY says that Trump must respect the Judiciary because over the course of hundreds of lawsuits and years of litigation, Trump has actually won some cases. I can’t make up something like this.

For example, a quote from a newspaper article:
Grassley also suggested Trump’s propensity for filing lawsuits showed some level of respect for the judicial branch.

“‘He must respect the Judiciary,’” Grassley said. “‘I’ve seen statistics that he’s won over 400 cases, only lost 30.’”

How about that. I find it curious that the chairman doesn’t have time to read Merrick Garland’s questionnaire or give him a hearing, but he has time to study Donald Trump’s success rate in the courtroom. This says a lot, and one of the things it says is what Senator GRASSLEY’s priorities are.

In spite of everything coming out of Donald Trump’s mouth, Senator GRASSLEY remains loyal to Donald Trump. According to an Iowa newspaper, the Ames Tribune, Senator Grassley told his constituents on Friday: “He isn’t concerned by any of the controversial or inflammatory rhetoric coming from the Trump campaign.”

I am a little disappointed, but—with what has happened the last couple of months—not surprised. I believe no Member of the Senate has done more for Donald Trump than the chairman of the Senate Judiciary Committee.

In January, when many Republicans were still trying to distance themselves from Donald Trump, Senator GRASSLEY introduced Trump at an Iowa campaign event. Since then, despite dozens of editorials against Senator GRASSLEY and pressure from his constituents, Senator GRASSLEY has done everything in his power to hold open a Supreme Court seat for Donald Trump to fill. I am surprised Senator GRASSLEY has yet to acknowledge these racist attacks on Judge Curiel because these attacks are beyond the pale. Instead, Senator GRASSLEY chose to further establish himself as a Trump cheerleader, just like the Republican leader has done.

Last week Senator GRASSLEY told his constituents:

He’s building confidence with me.

Talking about Trump.

I’ve already said I’m going to vote for him.

. . . I’d campaign with him.

But this is not the beginning of Senator GRASSLEY’s campaign for Donald Trump. Senator GRASSLEY’s entire chairmanship the past 6 months has been one big campaign push for Trump. His committee has become an extension of the Trump campaign. The Republican Judiciary Committee has done everything to focus on boosting Trump but has neglected to do its job in the process.

Under Chairman GRASSLEY, the committee is reporting out almost no bills.
fewer judicial nominations than any time in recent history, and because of this inaction by the chairman of the Judiciary Committee, the Senate has confirmed fewer judges than in decades. We heard the report yesterday of how the Federal system of courts in our country has disrepair. Why? Because the Judiciary Committee is processing none of the appointments President Obama has made.

What has the Judiciary Committee done? It spent its time pursuing a political hit job on Secretary Clinton. Senator Grassley has wasted countless dollars and staff time developing partisan opposition research that he hoped could be used to help Trump's candidacy against Secretary Clinton. It hasn't helped, but it has shortened the pocketbook of the American people. Senator Grassley has been so desperate to drag Secretary Clinton's name through the mud that he even encouraged the FBI to leak an independent review of Secretary Clinton's use of email.

At every turn, the senior Senator from Iowa has used his committee for partisan purposes that benefit only one person: Donald Trump. There is no better example of the current travesty on the Supreme Court. Rather than doing his constitutional duty and processing Merrick Garland's nomination, Chairman Grassley took his marching orders from Trump, and Trump said: Delay, delay, delay. And that is exactly what the Senator from Iowa has done—delay, delay, delay.

Chairman Grassley is hoping to run out the clock. He is hoping President Trump gets to nominate the next Supreme Court Justice. That is why last month Senator Grassley said of Trump: "I think I would expect the right type of people to be nominated by [Trump] to the Supreme Court."

After Donald Trump's latest attack on the Federal system, does Senator Grassley really believe that Trump is the right man to pick nominees to the Supreme Court or any court? Donald Trump said that a Federal judge should be disqualified from presiding over a case because of his Mexican heritage, even though he was born in Indiana. He said the same would apply if the judge were Muslim. Does Senator Grassley believe Trump's comments were racist? This is a place for the senior Senator from Iowa to start his quest for fairness.

The Republican junior Senator from Nebraska agrees it was racist. This is what he tweeted yesterday: "Public Service Announcement: Saying someone can't do a specific job because of his or her race is the literal definition of 'racism.'" The junior Senator from South Carolina, also a Republican, called Trump's remarks "racially toxic," but what does the senior Senator from Iowa say? Zero, nothing.

Does Senator Grassley also believe judges should face a religious test? The senior Senator from Iowa said he trusts Donald Trump's judgment. He said, and I repeat: "He's building confidence with me."

After everything we have heard from Donald Trump—all of his vile, unhinged rants—does Senator Grassley honestly have confidence that Donald Trump should pick the next Supreme Court Justice? I don't trust Trump to make that decision, the people of Iowa don't, and America doesn't. Senator Grassley must stop using his committee to do Trump's bidding if he wants to stop using the once-proud Judiciary Committee as an extension of the Trump political campaign.

Instead of continuous delay, delay, delay, Chairman Grassley should give Merrick Garland a hearing and a vote, but do it now. Waiting for Donald Trump to choose the ninth member of the Supreme Court is not the answer. I yield the floor.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

Mr. KING. Mr. President, at 3:30 in the afternoon on December 23 of last year, about a half hour before sunset, the lights started to go out in western Ukraine. The power started to go out. The operator in one of the Ukrainian power plants tried frantically to get power back on, but he was blocked by thousands of fake calls, the call center of this utility in Ukraine had been changed. At the same time, the operator moved of its own accord and started opening dialogue boxes and opening breakers.

The operator tried frantically to get back into the computer, only to find he was locked out and the password had been changed. At the same time, the call center of this utility in Ukraine was blocked by thousands of fake calls, so the utility itself could not know what was happening in the country-side. The backup generators around western Ukraine also went down. Malware was installed on the operating computers and a system called KillDisk was installed, which wiped the disks and rendered the computers useless.

As a final insult, the power in the power control system itself went off and the operators were literally left in the dark. This was Trump's major cyber attack of a public utility anywhere in the world. It was sophisticated, it was well planned, and it was devastating. Within a few minutes, 230,000 people in the country of Ukraine were without power.

That attack could have occurred in Kansas City, in San Jose, in New York, or here in Washington. Ever since I have served in this body as a member of the Armed Services and Intelligence Committees, I have heard repeated warnings from every public official involved with intelligence and national security that an attack on our critical infrastructure is not possible, it is likely.

How many shots across our bow, how many warning shots do we have to endure? Sony, the OPM, insurance companies, and now the nightmare scenario of an electric grid attack.

We can learn something from what happened in the Ukraine. Cybersecurity is a piece of good news and a lesson for us. The attack, which left 230,000 people without power, only persisted for about 6 hours. The interesting part of the scenario of this development was that one of the reasons they were able to get the power back on so fast was because the Ukrainian grid was not up to modern—I hesitate to say “standards”—practices in terms of its interconnectedness and its digitization. There were old-fashioned analog switches, and the most old-fashioned analog switch of all, a human being, who could actually throw breakers and get the system back online.

However, in this country we are not so lucky, and I use that in a very sort of harsh way because we have the most advanced grid structure in the world. We are more digital, we are more automated, we are more interconnected, but that makes us more vulnerable. That makes us more vulnerable because we are asymmetrically interconnected. We keep getting these warning shots. A lot is being done by our utilities and by our government agencies to work on protecting this country from a devastating cyber attack. But I know of no one who would assert that enough is being done and that we are ahead of this threat.

I introduced a bill yesterday, along with three cosponsors: Senator Risch from Idaho, Senator Collins from Maine, and Senator Heinrich from New Mexico—all of whom, along with myself, are members of the Intelligence Committee, where we hear about these threats practically weekly. The bill is pretty straightforward. It tasks our intelligence agencies with the utilities over a 2-year period to determine, not new software patches and new complexity, but if we can protect...
our grid by returning to, at least at critical points in the grid, the old-fashioned analog switches or good-old Fred, who has to go and throw a breaker with his dog. It may be that going back to the future, if you will—going back to the past and simplifying some of these critical points may be the best protection we can have. The idea is for the Labs to put their best people on this and for the utilities to do the same on a voluntary basis.

I might add that there is nothing magical about this bill. We are trying to work on finding some solutions that are implementable in the short run to protect us from this grave threat. Once we get a report back, hopefully we will be able to implement this legislation across the country.

I am tired of hearing warnings. It is really time for us to act, and this is a straightforward bill that I hope can move through this body at the speed of a cyber attack so that we can then have the defense we have to have.

An attack on our critical infrastructure—particularly the electric infrastructure across this country—would, in fact, be devastating and undoubtedly involve a loss of lives. I do not want to be here on a darkening winter afternoon and see the lights going off across America—the power to hospitals, the power to our transportation system, the power that makes our lives what they are today. This is not an abstract threat. We know from the Ukraine that the capability exists to do exactly that and take down the grid. We must act expeditiously and directly to counteract that threat. If we do not do so, we are faltering our responsibility to the people of America, our constituents, and the United States.

I urge rapid consideration of this bill, and I look forward to its consideration at the Energy Committee. Three of the four sponsors are also members of the Energy Committee as well as the Intelligence Committee, and I am hoping we can move this rapidly so we can begin the process of countering what is not an abstract threat but a direct, clear, and present danger to the future of this country.

I thank the Presiding Officer, and I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I am here to urge my colleagues to support an amendment that I have offered to the National Defense Authorization Act to extend the Afghan Special Immigrant Visa Program, also known as the SIV Program).

The SIV Program gives Afghans who supported the U.S. mission in Afghanistan and now face grave threats because of their willingness to help our service men and women on the ground in Afghanistan the ability to come to the United States. To be eligible, new applicants must demonstrate at least 2 years of faithful and valuable service. To receive a visa, they must also clear a rigorous screening process that includes an independent verification of their service and then an intensive interagency security review.

People may ask: Who are these Afghans? Let me give you a few examples of the extraordinary service they have provided.

The first person I will talk about—and I can't use his name for privacy and security reasons—worked as an interpreter for U.S. Special Operations Command, SOCOM, from 2005 to 2016. He applied for a special immigrant visa in 2012 and continued to work for SOCOM during the interim. One of the applicant's direct supervisors, the commander of 1st Battalion, Third Special Forces Group, stated that the applicant's brother was murdered by extremists—probably Taliban—due to the applicant's work for the U.S. Government, and the applicant himself has been wounded several times while serving.

A second individual worked as the head interpreter for a provincial reconstruction team, or PRT team, for years. Because of his service, his children can't go to school and the lives of his family members are in danger. The applicant's PRT commander was one of multiple direct Defense Department supervisors to submit letters of recommendation on his behalf testifying to his loyal and valued service.

A third interpreter served the Defense Department from 2006 to 2015. He left work in December following an IED attack which robbed him of one eye and his vision in the other. He applied for his special immigrant visa after being wounded and is in the beginning stages of the extensive interagency vetting process.

Clearly, the service of these individuals has been critical to our successes in Afghanistan, and in at least a handful of other cases, SIV recipients' contributions to U.S. military operations were so strong that they found ways to contribute even after they arrived in the United States. One promptly enlisted in the Armed Forces and later worked as a cultural adviser to the U.S. military. Another studied Mandarin, University and Georgetown and has worked as an instructor at the Defense Language Institute. A third, who worked as a senior adviser at the U.S. Embassy, now serves on the board of a nonprofit, working to promote a safe and stable Afghanistan.

These contributions in Afghanistan and beyond help explain why senior U.S. military officers and diplomats are so supportive of the Afghan SIV Program.

Here is what the current commander of U.S. forces in Afghanistan, General Nicholson, wrote recently about the need to reauthorize the SIV Program:

These men and women who have risked their lives and have risked much for the betterment of Afghanistan deserve our continued commitment. Failure to adequately demonstrate a shared understanding of their sacrifices and commitment to our Afghan partners would do real damage to any Afghan who supports the International Security Assistance Force and Resolute Support mission and could have grave consequences for these individuals and bolster the propaganda of our enemies. . . . Continuing our promise of the American dream is more than in our own interest, it is a testament to our decency and the long-standing tradition of honoring our allies.

Last year, General Nicholson's predecessor, General Campbell, wrote a similar letter affirming support for the SIV Program and urging Congress to “ensure that the continuation of the SIV program remains a prominent part of any future legislation on our efforts in Afghanistan,” adding that the program is “crucial to our ability to protect those who have helped us so much.”

Their view is shared by senior diplomats as well. Ambassador Ryan Crocker, who served in Afghanistan from 2011 to 2012, recently wrote that “taking care of those who took care of us is not just an act of basic decency, it is also in our national interest. American credibility matters. Abandoning these allies would tarnish our reputation and endanger those we are today asking to serve alongside U.S. forces and diplomats.

I see that my colleague Senator McCaIN is on the floor. I know my colleagues in the Armed Services Committee, or PRT team, for years. Because of his service, his children can't go to school and the lives of his family members are in danger. The applicant's PRT commander was one of multiple direct Defense Department supervisors to submit letters of recommendation on his behalf testifying to his loyal and valued service.

A third interpreter served the Defense Department from 2006 to 2015. He left work in December following an IED attack which robbed him of one eye and his vision in the other. He applied for his special immigrant visa after being wounded and is in the beginning stages of the extensive interagency vetting process.

Clearly, the service of these individuals has been critical to our successes in Afghanistan, and in at least a handful of other cases, SIV recipients' contributions to U.S. military operations were so strong that they found ways to contribute even after they arrived in the United States. One promptly enlisted in the Armed Forces and later worked as a cultural adviser to the U.S. military. Another studied Mandarin, University and Georgetown and has worked as an instructor at the Defense Language Institute. A third, who worked as a senior adviser at the U.S. Embassy, now serves on the board of a nonprofit, working to promote a safe and stable Afghanistan.

These contributions in Afghanistan and beyond help explain why senior U.S. military officers and diplomats are so supportive of the Afghan SIV Program.

Here is what the current commander of U.S. forces in Afghanistan, General Nicholson, wrote recently about the need to reauthorize the SIV Program:

These men and women who have risked their lives and have risked much for the betterment of Afghanistan deserve our continued commitment. Failure to adequately demonstrate a shared understanding of their sacrifices and commitment to our Afghan partners would do real damage to any Afghan who supports the International Security Assistance Force and Resolute Support Program would sunset around December and thousands of Afghans who have stood alongside our military and other government personnel are at severe risk. I hope this body will decide that this is unacceptable and that we have to make sure we support those people who have supported our men and women on the ground and who have, in fact, died to support our men and women on the ground.

I am happy to join Senator Mccain and Senator Jack ReED, the chair and ranking member of the Armed Services Committee, in trying to pass this...
amendment and make sure we support those people who supported us.
I thank the Presiding Officer, and I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I will be brief.
I thank the Senator from New Hampshire for her continued advocacy for these individuals who literally placed their lives on the line to assist us in combating the forces we have been struggling against for now these many years. These individuals deserve our thanks, but more importantly, they deserve the ability to come to the United States of America. According to our military leaders, their lives are in danger. They are the first target of the enemy because the enemy wants retribution against those who helped Americans, and there is no doubt in the minds of our military leaders that these individuals literally saved the lives of the men and women who are fighting in Afghanistan and Iraq on our behalf.

I believe we should actually have a voice vote, and if necessary, have a vote. There is an absolute controversy associated with this legislation.

If America is going to seek the assistance of individuals who are willing to help us and then abandon them, then we have a very serious moral problem. I thank the Senator from New Hampshire for her continued advocacy. I hope we can get this issue resolved as soon as possible. I yield the floor.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

Mr. McCONNELL. Mr. President, the National Defense Authorization Act before us is important for our troops, wounded warriors and veterans, and national security.

One way it will help keep Americans safe is by renewing clear prohibitions on President Obama’s ability to move dangerous Guantanamo terrorists into our country or release them to unstable regions like Libya, Yemen, and Somalia.

Our country faces the most “diverse and complex array of crises” since World War II, as Henry Kissinger observed last year, but President Obama nonetheless seems focused on pursuing a stale campaign pledge from 2008. The President should spend his remaining months in office working to defeat ISIS. He should work with us to prepare the next administration for the threats that he is going to leave behind. He should not waste another minute on his myopic Guantanamo crusade.

Just about every detainees that could feasibly be released from the secure detention facility has already been released. Some have already returned to the fight, as we feared. Some have even taken more innocent American life, according to the Obama administration. But the bottom line is this.

The hard core terrorists who do remain are among the worst of the worst—the worst of the worst. Here is how President Obama’s own Secretary of Defense put it:

[There are people in Gitmo who are so dangerous that we cannot transfer them to the custody of another government no matter how much we trust that government. I can assure the President that it would be safe to do that.]

There is Khalid Shaikh Mohammed, the mastermind behind 9/11. He has declared himself the enemy of the United States. There is the 9/11 coordinator who was planning even more strikes while he was Bin Laden’s former bodyguard, the terrorist who helped with the bombing of the USS Cole and trained to be a suicide hijacker for what was to be the Southeast Asia portion of the 9/11 attacks. And months of the Obama administration.

No doubt, there are detainees who would almost certainly rejoin terrorist organizations if given that opportunity. Here is what the Office of the Director of National Intelligence found in a report just this year: “Based on trends identified during the past 11 years, we assess that some detainees currently at [Gitmo] will seek to reengage in terrorist or insurgent activities after their release.”

So, look, the next Commander in Chief, whether Democrat or Republican, will assume office confronting a complex and varied array of threats. That is why we must use the remaining months of the Obama administration as a year of transition to better posture the incoming administration and our country. What we should not be doing is making it even more challenging for the next President to meet these threats.

Releasing hard core terrorists was a bad idea when Obama was campaigning in 2008, and it is even a worse idea today. We live in a complex world of complex threats. The NDAA before us will renew clear prohibitions against administration attempts to transfer these terrorists to the United States on its way out the door. We don’t need to close a secure detention center. We need to ensure the American people are protected. Any possono at Guantanamo before us represents an important step in that direction. It will help position our military to confront the challenges of tomorrow. It will help support the men and women serving in harm’s way today.

I want to thank Chairman Mccain of the Armed Services Committee for his extraordinary work on this very important bill, and I thank Senator Reed, the ranking member, as well.

The PRESIDING OFFICER. The assistant Democratic leader.

Mr. DURBIN. Mr. President, do the math. A Federal prisoner held in a Federal prison in America today costs us about $30,000 a year. The most serious and dangerous criminals held in the Federal prison system are put in supermax facilities for $86,000 a year. That is the cost. Not a single prisoner has ever escaped from a supermax facility in the United States—ever. It costs $30,000 for routine prisoners and $86,000 for the most dangerous.

What does it cost us to incarcerate one detainee each at Gitmo, at Guantanamo? It costs $5 million apiece—$5 million for each detainee. The budget to keep Guantanamo open is about $500 million a year, and we have fewer than 100 detainees there, and there is a request for another $200 million at Guantanamo. So when Senators come to the floor and say we have got to keep Guantanamo open for fewer than 100 detainees, one obviously has to ask the question: Is there another $200 million at Guantanamo? What are we doing? For $30,000 a year, we are holding convicted terrorists in prisons across America instead of Guantanamo, that is a danger to the community. Really?

I represent the State of Illinois. We have the Marion Federal Prison in southern Illinois. We have a lot of good men and women who risked their lives for us and for the men and women in uniform. We need to allow them to come safely to the United States and be in a position where they can have peace of mind that they are not going to be killed because they are friends of America. I think her provision is a good one. I am anxious to support it.
Let me just say on the state of play on amendments that I have an amendment that I consider to be very important. I offered it over a week ago, so Members have had more than enough time to take a look at it. I will describe in the terms, instead of going into a long explanation, although I certainly have one ready.

Basically, within this bill—and S. 2943, the National Defense Authorization Act, is a big bill—there is about $524 billion for defense spending for our Department of Defense. I want America to always be safe, always have the best, and I want us to invest in the men and women of our military because we believe in them, their families, and our veterans.

There is a provision in this bill, though, that troubles me greatly. It is an effort to eliminate a program known as the Congressionally Directed Medical Research Program. What is the program? It is $1.3 billion. It is less than two-tenths of 1 percent of the total expenditure for the Department of Defense.

Is it important? I think it is very important. The Department of Defense medical research has come through with breakthrough financing to eliminate concerns, and it gives hope to members of the military, their families, and to everybody living across America.

I remember when it started. I was a Member of the House of Representatives. It was 1992. One group came forward—the Breast Cancer Coalition. They set up a reliable place to turn for a steady investment in breast cancer research. That is what started the program.

It is true that breast cancer is not limited to the military. But it is also true that breast cancer is not limited to the military. Breast cancer is a disease that none of us want. It is a disease that costs billions, but for all of America.

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by all objective observers, should be taken out of the Health and Human Services account.

Unfortunately, there is not enough money in the Health and Human Services account. So guess what. Take it out of the defense bill. While we don’t have enough troops trained, and we don’t have enough to pay for their deployments. In case you missed it, there are stories about the war in South Carolina—marines—where they are constantly flying from planes, where an Air Force squadron returns from most of their aircraft not capable of flying, with only two of our brigade combat teams able to be in the first category of readiness—only two—because they don’t have enough money for training and operations and maintenance.

But we are going to take billions out, and we are going to give it to autism, lung cancer, ovarian cancer. All of those are worthy causes. Now we have lobbyists from all over the Nation coming up: Oh, they are going to take away money from “fill in the blank.” They are all angry. I am not trying to take the money from them. I am saying that the money should not come out of defense. I am saying that to defend this Nation, every single dollar is important to the men and women who are defending this Nation and fighting and dying as we speak.

So I congratulate the Senator from Illinois as every year, just about, the money for medical research has gone up from an initial $25 million in 1992 to $1 billion this year, a 4,000-percent increase. Let me repeat. Spending on medical research at DOD—nearly 75 percent—has nothing to do with the military, and it has grown 4,000 percent since 1992.

Now we can talk to all the lobbyists who come in for these various and very important research projects and say: We took care of you. I say to the Senator from Illinois: Take care of them from where it should come, which is not out of defending this Nation. In 2006, the late Senator from the State of Alaska, Ted Stevens, under whose leadership the original funding for breast cancer was added, said that the money would be “going to medical research instead of the needs of the military.”

During the floor debate on the annual Defense appropriations bill, Senator Stevens this to say:

We could not have any more money going out of the Defense bill to take care of medical research when medical research is basically non-defense. Meanwhile, it is not our business, I confess. I am the one—

I am quoting Senator Stevens now. I confess, I am the one who made the first mistake years ago. I am the one who suggested the money for breast cancer research. It was languishing at the time. Since that time, it has grown to $750 million. In the last bill we had dealing with medical research, that had nothing to do with the Department of Defense.

I want to emphasize again that I will support funding for every single one of these projects. I will support it when it comes out of the right account and not from the backs of the men and women who are serving in the U.S. military. It has to stop. It has to stop. So this year, the NDAA prohibits the Secretary of Defense and the service Secretaries from funding or conducting a medical research and development project unless they certify that the project would protect, enhance, or restore the health and safety of members of the Armed Forces. It requires the medical research projects be open to competition and comply with DOD cost accounting standards.

It does not seem to me that that is an outrageous demand. I know my colleagues are going to come and say: Oh, we need this money because of “fill in the blank,” and this is vital to the health of America. I am all for that. But don’t take it out of the ability of the young men and women to serve this Nation in uniform. That is what the amendment of the Senator from Illinois does.

If this amendment passes, nearly $900 million in the defense budget will be used for medical research that is unrelated to defense and was not requested by the administration. One would think that if the administration—vice the administration would request it. They have not. They have not.

If this amendment passes—and it will, I am confident—$900 million will be taken away from military service members to serve their country and $900 million will not be used to provide a full 2.1-percent pay raise for our troops. It will not be used to halt dangerous reductions in the size of our Army and Marine Corps.

It will not be used to buy equipment so that our airmen don’t have to steal parts from airplanes in the boneyard in Arizona to keep the oldest, smallest, and least ready Air Force in our history in the air.

As I said, many of the supporters of this amendment have opposed lifting arbitrary spending caps on defense unless more money is made available for nondefense needs. So, the Senator from Illinois—if I get this straight—wants to add nearly $1 billion in spending for medical research but is also opposed to increasing spending to a level of last year for defense spending. That is interesting.

With these caps still in place, which we are trying to fix later on in this bill, the Senate wants to take nearly $1 billion of limited defense funding to spend on nondefense needs. So I say to my colleague, the Senator from Illinois: It is not that he is wrong to support medical research. No one is attacking that. I can guarantee you, the first thing the Senator from Illinois is going to say: Well, we are going to take this money away from medical research. I am not. I am saying that it shouldn’t come from the backs of the men and women who are serving this Nation.

I would ask him not to say that because it is not the case. If he wants to add that money into the Health and Human Services account, I will support the amendment. I will support it. I will speak in favor of it. He has proposed the wrong amendment to support medical research. Instead of proposing to take away $900 million from military medical research, he could be proposing a way to begin the long-overdue process of shifting the hundreds of millions of dollars of nonmilitary medical research spending out of the Department of Defense and into the appropriate civilian departments and agencies of our government.

Let me be clear again. This debate is not about the value of this medical research or whether Congress should support it. Any person who has reached my age likely has some firsthand experience with the miracles of modern medicine and the gratitude for all who support it. I am sure every Senator understands the value of medical research to Americans suffering from these diseases. What is at stake here is the men and women who care for them, and all those who know the pain and grief of losing a loved one.

But this research does not belong in the Department of Defense. It belongs in civilian departments and agencies of the government. Senator Stevens, my colleagues, the NDAA focuses the Department’s research efforts on medical research that will lead to lifesaving advancements in battlefield medicine and new therapies for recovery and rehabilitation of servicemembers wounded on the battlefield, both physically and mentally.

This amendment would harm our national security by reducing the funding available for military-relevant medical research that helps protect service men and women on the battlefield and for military capabilities they desperately need to perform their missions. It would continue to put decisionmaking about medical research in the hands of lobbyists and politicians instead of military medical experts where it belongs.

So what is happening right now as we speak? Phones are ringing off the hook: We need this money for “fill in the blank.” We have to have this money. It is the end of Western civilization unless we get it. I support every single one of these programs. There is not a single one that I would not support funding for. But when you take it away from the men and women who are serving in the military for nonmilitary purposes, I say it is a disgrace.

I will be glad to have the vote as soon as the other side clears our amendment process. But, again, I ask my colleagues: Don’t distort this debate by saying we are trying to take away this medical research. What we are trying to say with the bill is that we are trying to do everything we can to take every defense dollar and make sure that we help the men and women who are serving in conflicts that are taking place throughout the world.

We are not against the reason it was adopted by the Armed Services Committee—against this funding. We are
against where it is coming from. So let’s do something a little courageous for a change around here. Let’s say: No, we will not take this money out of defense, but we will take it out of other accounts which are under the responsibility of the Senate and the Congress of the United States. That is all I am asking for. That is all.

Obviously it probably will not happen. Every advocate for every one of those programs has now been fired up because they have been told that we are going to take away their money. We are not going to take away their money; we want their money coming from the right place. I would even support increases in some of this spending, but it is coming from the wrong place.

As I said at the beginning of my remarks, it is the Willy Sutton syndrome, from $25 million in 1992 all the way up to here—all the way here—now $1 billion, a 4,000-percent increase. So I am sure that Senator after Senator will say this: Oh no, you can’t take away this money from “fill in the blank.” This is terrible for us to do this. It is not terrible for us to do this.

The right thing to do is not to deprive the men and women who are serving in the military of $1 billion that it badly needed for readiness and for operations to keep them safe. That is what this debate is all about. I expect to lose it.

I congratulate the lobbyists ahead of time. I congratulate the Senator from Illinois ahead of time. But don’t be surprised when the American people someday rise up against this process where we appropriate $1 billion for something under the name of national defense that has nothing to do with national defense.

I yield the floor.

The PRESIDING OFFICER. The assistant Democratic leader.

Mr. DURBIN. Mr. President, this Senator has just apologized for medical research—never, I certainly understand the National Institutes of Health have the primary responsibility for medical research. I am pleased to report that at this moment in the subcommittee, we are marking up an increase of more than 5 percent in the funding for that important agency.

I thank Senator BLUNT from the other side of the aisle and Senator MURRAY from our side of the aisle for finding the $225 million for that. But I argue that because we are putting money into the National Institutes of Health we can take money away from the Department of Defense ignores the obvious. We take money away from the Department of Defense medical research program at the expense of men and women in the military, their families, and veterans.

Look at the example the Senator from Arizona used. He stood and he pointed to his chart and he said: Well, there is even spending here for epilepsy and seizures. Now, why would that be? We have to spend money on our military and their issues.

Well, let’s take a look. Since the year 2000, over 300,000 Active-Duty service members have experienced a traumatic brain injury. Currently, the prevalence of post-traumatic epilepsy among those members who have suffered a brain injury is unknowable until risk factors that are known to guide decisionmaking in diagnosing the treatment of the disease. According to the American Epilepsy Society, over 50 percent of TBI victims—these are military members who have been exposed to traumatic brain injury—have post-traumatic epilepsy. For the Senator from Arizona to point to this as one of the wasteful areas of medical research is to ignore the obvious: that 300,000 of our men and women in uniform have suffered from traumatic brain injury. And we know from past experience that many of them end up with post-traumatic epilepsy. To argue then, that this medical research into epilepsy and seizures has no application or value to members of the military is basically to ignore the obvious.

What we have tried to do in establishing this program is, first, we can understand, that this medical research will become into epilepsy and seizures has no application or value to members of the military is basically to ignore the obvious.

Well, it turns out there are many things that are concerning. Would you guess that prostate cancer is a major concern in the military as opposed to the rest of our population? You should because the incidence of prostate cancer among those who serve in the military is higher than it is in the general population. Why is that? Is it an exposure to something? Is there something we can do to spare military families from this cancer by doing basic research? I am not going to apologize for that, nor am I going to apologize for the breast cancer commitment that has been made by this Department of Defense medical research program.

The Senator from Arizona is correct. Groups are coming to us and saying: This Department of Defense medical research is absolutely essential.

I just had a press conference with the Breast Cancer Coalition. There has been $3 billion invested in breast cancer research through the Department of Defense over the last 24 years. As I said earlier, it led to the development of a new drug that saved the lives of breast cancer victims—Hercetin. The drug has saved lives. To argue that this money was not well spent, should have been in another category, didn’t apply here and there, let’s look beyond that. Let’s look at what the right thing is not just the number of men and women across America but of members of families of those who have served our country.

The list goes on and on. I could spend the next hour or more going through every single one of them. The provision of the Senator from Arizona in his own bill is designed to eliminate the medical research programs at the Department of Defense. That is not my position. I am a strong supporter of the Department of Defense. He has put in so much red tape and so many obstacles and added so much overhead and so much delay that he will accomplish his goal of killing off medical research at the Department of Defense desired by Congress. That would be a terrible outcome—a terrible outcome for people who are counting on this research.

No apologies. I am for increasing the money at the National Institutes of Health. I have said that already. And I am for increasing money at the Department of Defense. It has been money well spent and well invested for the men and women of our military.

I might add and let me first acknowledge that my colleagues from Arizona has a distinguished record serving the United States in our U.S. Navy. We all know his heroic story and what he went through. So I am not questioning his commitment to the military in any way. We have outraged veterans organizations and others that stand by my position on this issue. When we had the press conference earlier, it wasn’t just the Breast Cancer Coalition; the Disabled American Veterans was also there. I am trying to defeat this provision in the bill that would put an end to the Department of Defense medical research programs.

For the good of these families, all of the members of these families in the military, as well as our veterans, let’s not walk away from this fundamental research.

The PRESIDING OFFICER (Mr. FLAKE). The Senator from Arizona.

Mr. MCCAIN. Mr. President, I think the Senator from Arizona has pretty well ventilated this issue, and once we get an agreement on votes, we could schedule a vote on it. I think we are very well aware of each other’s positions. I have been talking about this issue for quite a period of time, as I watch our defense spending go down and our “medical research” go up.

The argument of the Senator from Illinois is that men and women in the military are subject to all of these variables—challenge of arthritis to vascular malfunctions, et cetera, because they are Americans, because they are human beings? Yes, we agree that members of the military are subject to all of these needs and earmarks for various illnesses that affect Americans.

And by the way, traumatic brain injury causes a whole lot of things. So to say that epilepsy is the result of traumatic brain injury, there are all kinds of things that are the result of traumatic brain injury, and I strongly support funding—and so have many others—for research on traumatic brain injury. We know the terrible effects of
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that on our veterans. But there are, at least on this list, 50 different diseases and medical challenges, and connecting that all to defense takes a leap of the imagination and is, obviously, ridiculous. It is ridiculous. Here we have pancreatic cancer, Parkinson’s, and all of those subjects, and they have relieved the problems and cured it. They have found cures, and the Secretary of Defense, the President, and the Congress, and every veteran organization is told that it is good for us, and our doctors were saying this is what we should do. So basically we have an epidemic on our hands from products we all believed were going to help us. We had 16 percent more people die in 2014 than in 2000. We have lost 800,000 Americans since 1999—200,000. If that is not an epidemic, I don’t know what is. I really don’t know.

Unfortunately, a major barrier to those suffering opioid addiction—these are legal prescription, the fact is, insufficient access to substance abuse treatment centers. Between 2009 and 2013, only 22 percent of those who were suffering from addiction could find treatment—only 22 percent.

For so long, we kind of put our heads in the sand and basically thought that this was a crime, that it wasn’t basically an illness—an illness that we now have come to understand needs treatment. We are way behind the scale on this.

In my State of West Virginia, 42,000 West Virginians, including 4,000 youth—these are kids younger than 16 years of age—sought treatment for legal abuse but failed to find help. If you are a parent or a grandparent and your kids are begging for help, the way they can find any help today is to get them arrested, get a felony on them, and then the judge will send them to drug court. That is it. That is the alternative. That is not a solution we as Americans should be settling for.

The largest long-term facility in West Virginia with more than 100 beds is Recovery Point. It is run by all former addicts. These people who were treated for lives were basically destroyed. They got together and said: We can help people. We can save them. There is no more of that. They bring them in, and it is a yearlong program. It has the greatest success rate of anything else we have in our State.

In 2014 about 15,000 West Virginians got some sort of treatment for drug or alcohol abuse, but nearly half of these people went untreated because they couldn’t find it or couldn’t afford it. Based on conversations with our local police and all law enforcement in the State of West Virginia, 8 out of every 10 calls they are summoned to for some kind of criminal activity is due to drugs, some form of drugs.

All of our young students here will be able to identify with this and the people who have problems. These people recognize they need help and they have been turned away.

I have introduced a piece of legislation with quite a few of my colleagues. I would hope all of my colleagues in this body would look at it very seriously. It is called LifeBOAT. LifeBOAT basically simply says this: We need to have a fee on all opiates. The reason for this was that in the 1980s, we were told this was a wonder drug. It will return our proper place, and we will not add addictive at all. Well, we know what happened there. That wasn’t effective and it wasn’t accurate.
She was transported by an ambulance after being shot. Some of these shootings were drug related. One time she was at a night club and was shot in the leg. She could not walk and was taken to the hospital. She has been affected and their lives have been changed. I have one from my State of West Virginia, and she writes:

"I have come to the floor every week to read letters from people who have been affected and their lives have been changed. I have one from my State of West Virginia, and she writes:

In Elementary school (I believe 4th grade) my daughter became a cheerleader for Pop Warner Football.

Then 6th through 8th she cheered for the Middle School. Her Senior year she cheered for High School as well. She also played Volleyball for the High School and with an adult league, and Basketball for a Jerry West league.

She had excellent grades in school, many friends and a great personality. To say she was well rounded is pretty accurate. I am not quite sure where things went wrong. How we have ended up where we are today.

Today, and for several years now, my daughter is a drug addict. At one time she was prescribed antidepressants, then nerve pills, then she broadened to her own choices. She has tried many drugs but her choice is opiates. Legal prescription opiates.

She is the mother of our first 2 grandbabies that are now in the custody of family members due to her drug use.

The home is unfit for the children to be raised in. Continuing:

She is also a sister, aunt, granddaughter, cousin, niece and friend to many. And the wife of an addict. She has been in and out of jail, court and community corrections several times.

I have lost many nights of sleep waiting for a knock at our door or a phone call to tell me I need to identify my daughter. Thankfully, I am a lucky one so far that has not had to do that. Others have not been as fortunate.

She has been homeless and sleeping in her car for almost a year except for the nights I could beg for her to come stay with us. Her husband has stole from my family and is not allowed on any of our properties. She feels obligated into staying by his side.

I don’t know why.

She has had several seizure episodes that were drug related. One time she was at a local grocery store with our granddaughter. She was transported by an ambulance after her 4 year old daughter screamed for help.

A 4-year-old daughter screaming for help for a mother who has had an overdose and addiction. Continuing:

"She went to a 10-day detox. Which ended up being a waste—

"We know that 10 days or a month doesn’t do a thing—

"because there was not a place for her to go for rehab after. One time she got out of jail and thought she could kick this habit on her own. She couldn’t, and back to jail she went. Right now she is in a grant funded long term facility.

"If you talk to any people in addiction treatment, it takes a minimum of 1 year to get them through.

"She has been there almost a month. My heart and hopes are high.

"I pray for her and those like her on a daily basis. Addiction is such a cruel and punishing way of life. It leaves scars inside and out.

"All I am asking for is this LifeBOAT piece of legislation that will give us a lifeline to help families who are desperately in need. I would hope everyone would consider this. It is not a burden on anybody. It is not a burden on people taking normal prescriptions. It is only 1 penny on all opiates produced, used, and consumed in the United States.

"I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, for the benefit of my colleagues, we are working on trying to set up a series of a few amendments, including the Durbin amendment and others. Hopefully, we will have that resolved within half an hour or so, so we can then schedule votes for today.

"I know my colleagues are aware that tomorrow the first part of the day is for the joint meeting, with an address by the Prime Minister of India, so that even shortens our time. We want to try to get as many amendments done as we can today.

"I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. DAINES. Mr. President, I speak on amendment No. 4260 to the National Defense Authorization Act, which would elevate U.S. Cyber Command to a combatant command.

In 1986, Congress passed a law elevating and establishing U.S. Special Operations Command to address the rapidly growing need for special operators and to unify our forces. Think about that. Today they are now leading the effort against ISIS. There is another force quietly leading a battle against ISIS, and it is on a completely new battlefield. U.S. Cyber Command is one of our most important elements in the fight against terrorism today and tomorrow.

"I stand today with eight bipartisan co-sponsors of my amendment, including the chairman of the Armed Services Committee. I thank them for their support. This includes Senators WARRNER, BENNET, MURKOWSKI, CARDIN, and BLUMENTHAL, as well as Senators GARDNER and ERNST.

The Commander of Cyber Command recently testified before the Armed Services Committee, stating that an elevation to a combatant command would allow them to be faster, generating better missions.

At a time when ISIS is rapidly recruiting online and developing technology like self-driving cars packed full of explosives, the United States needs to ensure that cybersecurity and technology warfare is at the top of our priorities. U.S. Cyber Command needs to be able to react quickly and to engage the enemy effectively. Our troops need to be as effective online as they are in the air, in the land or at sea. To do all of that, we need to elevate them to a combatant command, where they will be reporting directly to the President of the United States through the Secretary of Defense.

I have provided for a plan in this year’s defense appropriations bill to fund this in the future, and I am committed to ensuring the elevation of Cyber Command is successful. In the long run, we need to ensure that they have increased access to training, to equipment, and personnel, and that their other commands are able to integrate the forces successfully.

"Right now as we debate the National Defense Authorization Act, we need to ensure that we give them the authority to defeat our adversaries, and that means elevation to a combatant command. The threat of a cyber attack is one of the fastest growing threats facing our Nation, and we cannot stand by as the Department of Defense delays to act on this urgent need.

I urge my colleagues to support my amendment No. 4260, which will elevate U.S. Cyber Command to a combatant command.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, with regard to the previous discussion, I want to point out to my colleagues, on this whole issue of a billion dollars that is being taken out of defense, the appropriate subcommittee on the Appropriations Committee and the authorizing committee is Labor, Health and Human Services, Education and Related Agencies. Certainly, as I mentioned before—and taken out of the National Institutes of Health account, for which a lot of money was already being appropriated. So there is an appropriate vehicle for these expenditures of funds of nearly $1 billion, and it is not the Department of Defense.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. CRUZ. Mr. President, my home State of Texas is strong and resilient. Texans aren’t people who tire easily, and we certainly don’t give up when the going gets tough, but that doesn’t mean we haven’t faced adversity. Texas hasn’t faced its share of adversity.

Over the last few weeks, the resolve of our great State has been tested with historic flooding that has taken at least 16 lives across Texas. Among those 16 are 9 young soldiers at Fort Hood, 9 soldiers whose truck was overturned while crossing a flooded creek.

Their lives were ended in that flooding. Their families have been torn asunder, not by combat losses far away. When brave young men and women sign up to defend this country, they expect—they understand the threat that enemies abroad might endanger them, but they shouldn’t be losing their lives here at home in a sudden and unexpected accident that took the lives of nine in an instant. Those nine soldiers should be remembered: SPC Yingming Sun, SSG Miguel Angel Colonvazquez, SPC Christine Faith Armstrong, PFC Brandon Austin Banner, PFC Zachery Nathanial Fuller, Private Erik Lee, Private Kevin L. Raelaurin Gates, Private Tyshena Lynnette James, and Cadet Mitchell Alexander Winey.

All of us should remember those soldiers and every one of the soldiers, sailors, airmen, marines who risk their lives for us daily.

Just yesterday on a plane flight from Texas, I had the pleasure of again meeting a young lieutenant whom I had met in the hospital at Fort Hood in 2014. He had been shot in the chest with a .45 in that tragic shooting that occurred. I must say it was so inspirational to see this young lieutenant healed, mobile, proudly serving our country, and energized. That is the spirit of the Armed Forces, and we should never forget their commitment to freedom.

Heidi and I right now, along with millions of Americans, are lifting up in prayer those Texans who have lost their lives, who have lost their homes, and the families who are suffering due to this flooding. We are also lifting up the first responders who so bravely risk everything to keep us safe.

In particular, I want to take a moment to mention the Red Cross. I had the privilege yesterday of speaking with the CEO of the Red Cross to thank them directly for their efforts on the ground, helping people who are suffering, helping people who have lost their homes and who are struggling.

She and I shared with them we have seen in tragedy after tragedy after tragedy, which is that, in the face of disaster and in the face of adversity, Texans and Americans come together. There is a spirit of solidarity, a spirit of unity that the worse the tragedy, the more we come together and help our friend and neighbor, help our sister and brother. During these difficult times, Texans demonstrate that sharing spirit, and we are thankful to Americans across the country who are lifting us up in prayer.

As the waters continue to recede and the wreckage is being cleared, my office continues to work closely with the local and State government officials, along with the entire Texas delegation, to help ensure a smooth recovery process, including offering—as I already have—my full support and assistance when Governor Abbott requests Federal aid for those affected by this disaster.

While Texas continues to rebound from these torrential floods, our Nation is also flooded with circumstances that require the very same strength and resolve that we face in the face of tragedy. This week, the Senate continues debating the National Defense Authorization Act. This legislation reflects our Nation’s military and national security priorities. The decisions we make now will affect not only our lives but those of future generations.

We face serious times as a Nation. Our constitutional rights are under assault. We have economic stagnation, young people yearning for employment opportunities, and an overburdened, and our government regulations that crush innovation. Abroad and at home, the threat is growing each and every day of radical Islamic terrorists. In order to best ensure the future of our Nation, we must make sure America is ready.

The most important constitutionally mandated responsibility of the Federal Government, the one authority that it must—not merely can—exercise is to provide for the common defense. There is no better example of how egregiously we have strayed from our core function than the way in which our spending on defense has been held hostage year after year to the ever-increasing appetite for domestic spending by President Obama. The programs they are forcing on the American people aren’t necessary to protect our lives and safety. But funding our Nation’s security is necessary, and it is in this spirit that I have approached my work on the National Defense Authorization Act. I look forward to continuing this debate with colleagues on both sides of the aisle.

My goal for the NDAA is simple. We need to make sure our military is strong, secure, and our interests abroad are protected. The NDAA shouldn’t be a vehicle to further an agenda that has nothing to do with actually defending America.

On the Senate Armed Services Committee, I was proud to work with my colleagues, both Republicans and Democrats, in introducing and getting adopted 12 amendments—12 amendments that were included in this legislation that cover the range of policy issues from strengthening our ability to protect our missile defense, to improving our ability to stand with allies such as the nation of Taiwan, to improving our ability to deal with the growing threats from nations like Russia and China, to prohibiting joint military exercises with Cuba, to preventing the transfer of terrorists from Guantanamo to nations that are on the State Department’s list of terror sponsors.

Yet there are still many issues I believe should be addressed in this legislation, and I want to highlight three of those issues today. First and foremost, I hope that this full body will take up.

The first is an amendment to increase spending on Israeli missile defense. This is an amendment on which I have been working closely with the senior Senator from South Carolina, Mr. Graham.

The second is an amendment to stop the Obama administration’s plan to give away the Internet, to empower our enemies abroad with a new weapon against the United States of America. In this, I have worked with a number of Senators, including Senator Grassley of the Judiciary Committee.

Each of these amendments addresses different policy components of our Nation’s security. But they all share the ultimate objective of ensuring that America remains the strongest nation the world has ever known.

The first amendment I have submitted and that I would urge this body to take up would increase funding for our cooperative missile defense program with Israel to ensure that our ally—our closest friend—can procure the necessary vital assets and conduct further mutually beneficial research and development efforts. This has been an ongoing partnership for Israel and the United States of America and yet, unfortunately, the Obama administration, in its request submitted to Congress, zeroed out procurement for David’s Sling, Arrow 2, and Arrow 3, vital elements of Israeli missile defense. This is at a time when the threats are growing, and the administration decided that zero was the appropriate level. Respectfully, I disagree. This amendment would fully fund procurement for Israeli missile defense.

Now, much of this missile defense is done in partnership working closely with American corporations producing jobs here at home. But it is also vital to our national security, as we see a proliferation of weapons across the world. The technology of intersecting incoming threats and intercepting incoming missiles before they can take the lives of innocents is all the more important. Yet we are at a time when the administration funneled hundreds of millions—and headed to billions—of dollars to Iran and their despotism...
The administration knows and they acknowledge that substantial portions of those funds will be used to fund radical Islamic terrorists, will be used to fund efforts to murder Israelis and to murder Americans. Yet, nonetheless, it is U.S. taxpayers and U.S. dollars that are being used under the control of our government—billions—that are going to the Ayatollah Khamenei, who chants and pledges “Death to America” and “Death to Israel,” in a result of the fecklessness of our foreign policy.

Our closest ally in the Middle East remains in a deeply troubling and precarious position. Israel must be prepared to defend against Hamas and Hezbollah rocket stockpiles that are being rebuilt and improved, while also being forced to counter an increasingly capable adversary in the nation of Iran, which is intent on the destruction of Israel. We must not fail in our obligation to stand with Israel. It is my hope that, and when this body takes up this issue, we will stand in bipartisan unity, standing with Israel against the radical Islamic terrorists who seek to destroy both them and us. In doing so, we will further both Israeli national security and the safety and security of the United States of America.

In addition to working to provide for our common defense and protect our sovereignty, I have also introduced an amendment that would safeguard our country from the alternatives that have been submitted an amendment that would prohibit the Obama administration from giving away the Internet. This issue doesn’t just simply threaten our personal liberties. It also has significant national security ramifications. The Obama administration is months away from deciding whether the U.S. Government will continue to provide oversight over the core functions of the Internet and continue to protect it from authoritarian but well-intentioned regimes who want to view the Internet as a way to increase their influence and suppress the freedom of speech.

Just weeks ago, the Washington Post—hardly a bastion of conservative thought—published an article entitled: “China’s scary lesson to the world: Censoring the Internet works.” We shouldn’t take our online freedom for granted. If Congress sits idly by and allows the administration to terminate U.S. oversight over the Internet, we can be certain authoritarian regimes will work to undermine the new system of Internet governance and strengthen the position of their governments at the expense of those who stand for liberty and freedom of speech.

This proviso is truly concerning, given the proposal submitted by the Internet Corporation for Assigned Names and Numbers, known as ICANN. ICANN is a global organization, and its latest proposal unquestionably decreases the position of the United States while it increases the influence of over 160 foreign governments within ICANN in critical ways—foreign governments like China, foreign governments like Russia. Additionally, this proposal has the potential to expand ICANN’s historical core mission by creating a potential gateway to content regulation, and it would only further expand ICANN, which the United States has a poor track record of acting in an unaccountable manner and a proven unwillingness to respond to specific questions posed by the Senate.

Relinquishing control over the Internet would be an irreversible decision. We must act affirmatively to protect the Internet, as well as the operation and security of the dot-gov and dot-mil top-level domains, which are vital to our country’s security.

For whatever reason, the Obama administration is pursuing the giveaway of the Internet in a dogged and ideological manner. It is the same naïve foolishness that decades ago led Jimmy Carter to give away the Panama Canal. It is this utopian view that, even though we built it, we should give it to others whose interests are not our own. We should not have given away the Panama Canal, and we should not be giving away the Internet. If the Obama administration succeeds in giving away the Internet—which is, No. 1, prohibited by the Constitution of the United States, which specifies that property of the United States Government cannot be transferred without the authority of Congress—this administration is ignoring that constitutional limitation and is ignoring the law. But if the Obama administration gives away the Internet, it will also impact speech for you, for your children, and your children’s children.

I would note that one of the things this body is good at is inertia—doing nothing. Right now, that is what this body is doing is stop it. My amendment would say that control of the Internet cannot be transferred to anyone else without the affirmative approval of the United States Congress. If it is a good idea to give away the Internet, we will scrape, that we keep free, that we protect with the First Amendment—and I can’t imagine anyone reasonably objective believing it is, but if it is—we ought to debate it on this floor. A decision of that consequence should be decided by Congress and not by accountable bureaucrats in the Obama administration. So it is my hope that colleagues in this body will come together, at the very minimum, to say not whether or not the Internet should be given away, but simply that Congress should decide that. There was a time when this body was vigorous in protecting its constitutional prerogatives. It is my hope that this body will rediscover the imperative of doing so.

The third amendment I have submitted on the NDAA that I want to address is the Expatriate Terrorist Act, a bill I introduced over a year ago and that I again filed as an amendment to the NDAA.

As we all know, radical Islamic terrorists have been waging war against the United States since—and, indeed, well before—9/11, and yet the President cannot bring himself to identify the enemy, preferring instead to use meaningless bureaucratic terms like violent extremists. The President naively believes that reining in the threat what it is—radical Islamic terrorism—will somehow assuage the terrorists and discourage them from making war against us and our allies. But that hasn’t stopped ISIS from promoting catastrophic strikes over here and over and over, and did it dissuade the radical Islamic terrorists here in the United States who have committed attacks against Americans since this President first took office—the terrorist attack in Fort Hood, which the administration inexplicably tried to characterize as “workplace violence,” the Boston Marathon bombing, the terrorist attack on military recruiters in Little Rock and Chattanooga, and, most recently, the horrific attack in San Bernardino.

The question for us in Congress is whether we have given the government every possible tool, consistent with the Constitution, to defeat this threat. I do not believe we have, which is why I have introduced the Expatriate Terrorist Act.

Over the years, numerous Americans, like Jose Padilla, Anwar al-Awlaki and Faisal Shahzad, just to name a few, have abandoned their country and their fellow citizens to travel and join radical Islamic terrorist groups. Intelligence officials estimate that more than 250 Americans have tried or succeeded in traveling to Syria and Iraq to join ISIS or other terrorist groups in the region. This amendment updates the expatriation statute so that Americans who travel abroad to fight with radical Islamic terrorists can relinquish their citizenship. This will allow us to preempt any attempt by terrorists to stage catastrophic attacks on Americans or to otherwise hide behind the privileges of citizenship. In this more and more dangerous world, it would be the height of foolishness for the administration to allow known terrorists—radical Islamic terrorists affiliated with ISIS, Al Qaeda, or other Islamist groups—to travel back to the United States of America using a passport to carry out jihad and murder innocent Americans.

This legislation is bipartisan legislation. This legislation should be legislation that brings all of us together. We might disagree on the questions of marginal tax rates as Democrats and Republicans. We might disagree on a host of policy issues. But when it comes to the simple question of whether an Islamic terrorist intent on killing Americans should be allowed to use a U.S. passport to travel freely and come into America, that answer should be no, and that ought to be an issue of broad agreement.

Today I call upon my colleagues to join me in supporting these amendments and coming together. Together
these amendments strengthen our Na-
tion both at home and abroad. We are
stronger than the obstacles we face.
And by the grace of God, we will suc-
cceed. The stakes are too high to quit,
and we will stand together and con-
tinue to protect this exceptional Na-
tion, this shining city on a hill that
each and every one of us loves.
I yield the floor.
The PRESIDING OFFICER. The Sen-
ator from Arizona.
Mr. MCCAIN. Mr. President, I hope
the Senator from Texas, who just made
a moving commentary, would consider
in the future standing together and vot-
ing for the Defense authorization bill
rather than voting against it.
We stood together on the committee
with only three votes against the De-
fense authorization bill, and he voted
against it last year as well. So I would
look forward to working with the Sen-
ator from Texas and maybe getting
him—instead of being one or two in the
bipartisan effort of the committee—to
vote for the Defense authorization bill.
I might tell him also that with his agenda,
and perhaps against it, I would be
much more agreeable to considering
that agenda if he would consider voting
for the defense of this Nation—which is
that thick—which we worked for
months and months with hearings,
meetings, and gatherings, and he de-
cided to vote against the authorization
bill. So I look forward to working with
him, and perhaps next time he might
counter voting for it rather than being
1 of 3 out of some 27 in the committee
who voted for it in a bipartisan fash-
on, of which I am very proud.
I suggest the absence of a quorum.
The PRESIDING OFFICER. The clerk
will call the roll.
The legislative clerk proceeded to
call the roll.
Mr. CRUZ. Mr. President, I ask unan-
imous consent that the order for the
quorum call be rescinded.
The PRESIDING OFFICER. Is there
objection?
Without objection, it is so ordered.
Mr. CRUZ. Mr. President, I would
briefly respond to my friend from Ari-
 zona. As he is aware, this NDAA con-
tains one provision that in the history
of our country is a radical departure.
For the first time ever, this NDAA
would subject women to Selective
Service and potentially the draft.
Was this change done through open
debate and change done from the
point of view of the American people?
Was this change done reflecting their views? No.
It was inserted by committee staff in
the committee draft. It is a radical
change that is attempting to be foisted
on the American people.
I am the father of two daughters.
Women can do anything they set their
mind to, and I see that each and every
day. But the idea that we should forc-
ibly conscript young girls into combat,
in my mind, makes little to no sense.
It is, in my mind, a radical propo-
sition. I could not vote for a bill that
did so, particularly that did so without
public debate.
In addition to that, I would note that
in previous years, I have joined with
Senator LEE and others in pressing for
an amendment that would protect the
constitutional rights of all Americans
against unlimited detention of Amer-
can citizens on American soil. The
reason this amendment was sufficient
was because I have told him this now 4 years in a row,
that if the Senate would take up and pass
the amendment protecting the con-
stitutional due process rights of Amer-
can citizens—the Bill of Rights actu-
ally mentions—would happily vote
for the bill. Yet the Senate has not
taken up that amendment, so I have
had no choice but to vote no at the end of the
day.
I can tell you right now that if this
bill continues to extend the draft to
women—a radical change, much to the
astonishment of the voters, being foist-
ed on the American people not just by
Democrats but by a lot of Republic-
ans—then I will have no choice but to
vote no again this year. But I can tell
you this: I would be thrilled to vote yes
if we focused on the vital responsibil-
ities of protecting this country rather
than focusing on extraneous issues.
I yield the floor.
The PRESIDING OFFICER. The Sen-
ator from Arizona.
Mr. MCCAIN. Mr. President, the Sen-
ator from Texas has the unique capa-
bility of finding a provision in a bill
that thick to base his opposition on
and base his vote against the bill on.
The fact is that every single military leader in
this country—both men and women,
members of the military uniformed
leadership of this country—believes it
is simply fair, since we have opened up
all aspects of the military to women in
the military, that they would also be
registering for Selective Service.
I would also point out that every sin-
gle member of the committee—people
such as Senator AYOTTE, Senator S Ha-
tel, all of the female members of the
committee—also finds it a matter of equality.
Women I have spoken to in the military over-
whelmingly believe that women are not
only qualified but are on the same basis
as their male counterparts.
Every uniformed leader of the U.S.
military seems to have a different
opinion from the Senator from Texas,
whose military background is not ex-
tensive. I believe it was indefinite de-
tention last time, which obviously
is an issue but in my view, not a suffi-
cient reason because it was not in-
cluded. The bill last year did not ad-
dress that issue, but because we didn’t
address the issue to the satisfaction of
the Senator from Texas, then he voted
against the bill. This year it is Selec-
tive Service.
The vote within the committee was
overwhelming. The opinion of men
and women in the military—every one
of our military leaders believes that.
The Senator from Texas is entitled to
his views, but to think that somehow
that is sufficient reason for him to con-
tinue to vote against the bill—even
even though he does not respect the will
of the majority—in my view, that is not
sufficient reason to continue to oppose
what is a bipartisan bill that was over-
whelmingly voted for in committee
and at the end of the day, in previous
years, was voted for overwhelmingly
in the Senate.
I respect the view of the Senator
from Texas. Too bad that view is not
shared by our military leadership—the
ones who have had the experience in
combat with women in the military.
Mr. President, I suggest the absence
of a quorum.
The PRESIDING OFFICER. The clerk
will call the roll.
The legislative clerk proceeded to
call the roll.
Mr. MENENDEZ. Mr. President, I ask
unanimous consent that the order for the
quorum call be rescinded.
The PRESIDING OFFICER. Without
objection, it is so ordered.
Mr. MENENDEZ. Mr. President, I ask
unanimous consent to speak as in
morning business.
STANDING TOGETHER AS ONE NATION
Mr. MENENDEZ. Mr. President, I thought
long and hard about giving this speech,
and I don’t come to the floor lightly, but as the senior Latino
in this Chamber, I felt I had to speak,
for those who do not recall the past are
destined to repeat it, and I don’t want to
see this Nation, this shining city on a hill
that is America—the Bill of Rights actu-
alistic due process rights of Amer-
ican citizens on American soil. The
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ican citizens on American soil. The
PRESIDING OFFICER. Without
objection, it is so ordered.
Now we have the head of a major U.S. political party attacking a Federal judge because of his parentage. This isn’t a reality TV show or real estate deal; this is an attack on our independent judiciary. We are talking about a Presidential candidate attacking the fabric with which we enforce our laws and help citizens protect themselves from injustice.

In every aspect of her life, my mother believed in being treated fairly. What she did not believe is that being treated fairly meant she would always get what she wanted and that if she did not get it, it would be proof that the process of the system was corrupt, unfair, and out to get her.

To my mother and to me, lashing out when we don’t get what we want—as Donald Trump seems to do so often—can be described only as remarkably childish, thin-skinned, surprisingly egocentric, and frankly, for someone who aspires to lead this Nation, dangerously so. Mr. Trump, if not outright demagogic, threatening the very safeguards our Founders put in place to protect us from those, like Mr. Trump, whose only view of the world seems to be in a mirror. His only response to adversity is to blame someone else for doing us harm. The fact that you lost doesn’t imply unfairness, it only indicates that you lost, and he should get used to it, although it is a difficult concept for someone raised to believe there would be no losing and if there were, it must be a mistake that can be rectified with power, money, or a lawsuit. Apparently, in Mr. Trump’s mind, if he loses, it must be someone else’s fault: It is he. It is they. It is those people. He isn’t American. He doesn’t have a birth certificate. It is all an appeal to racism.

He is a Mexican judge, and I want to see the record of the judge who was called, and I want to know it but have not yet found a way to articulate it.

That attitude may be childish and pathetic in a schoolyard bully, but in an American President and Commander in Chief, it is downright dangerous.

I have traveled my State and this Nation and listened to people who wonder, as many of my colleagues have tried to distance themselves from the comments of the nominee, but in many cases they have not gone far enough. They have not called him out as they should, politics aside, for the threat he poses to this Nation if he is elected.

Many of my colleagues must recognize that whatever born in Indiana, which is part of these great United States, with a Mexican family background whose parents became U.S. citizens is not a Mexican judge but is American. And it is a U.S. Senator like this one—born in New York, raised in New Jersey, from a Cuban family background—is a U.S. Senator. To imply otherwise and ask Judge Curiel to recuse himself from a case because of what his parents were born on is its face racist.

They need to come to the floor and denounce the comments of their nominee. In fact, all Americans should denounce this kind of blatant racism. We are talking about the candidate’s design and his statements, actions, and demeanor threaten to send us down a slippery slope. He doesn’t seem to be able to stop himself. He has doubled down and said that it is impossible, for example, that a judge like this one might not be able to render a favorable decision in a Trump v. Whomever case because of the candidate’s policy to ban Muslims from entering this country. Anyone who won’t stand up and call this blatant racism what it is, may well be complicit in it. We as a people are asking: Are we safe? Unfortunately, the evidence suggests that the answer to both of those questions is no.

As we look around the world right now, we see more and more unrest and insecurity, and the foreign policy failures of the President and his administration are partly responsible. Again and again, when it has come time for the President to lead, he has chosen instead to sit on the sidelines. His failure to act has emboldened our enemies and weakened our allies.

Take the situation in Syria. I am not blaming the start of the Syrian civil war on President Obama, but when a redline was drawn and crossed and the President ignored it, we lost our credibility and our ability to influence President Assad. As we retreated from a position of strength, turmoil and unrest erupted in Syria.

The President’s reluctance to act must have looked familiar to foreign leaders like Vladimir Putin. It doesn’t make the front pages of the papers anymore, but we must remember that Russia invaded the sovereign country
of Ukraine and annexed Crimea while the President did nothing. After that, it is no surprise that Russia felt free to involve itself in Syria or that it continues to occupy and influence parts of eastern Ukraine as if it were a colony and not a free nation.

Recently, we have also seen Russian jets buzzing U.S. Navy ships. I can think of few other Presidents who would have stood for Russia's behavior, but the President has now essentially defined President Obama's approach to foreign policy. The now-infamous Russian reset promoted by President Obama and Secretary Clinton will go down in history as a strategic failure of this administration.

In the Pacific, which was intended to be a key focus of the President's foreign policy, China has gone largely unchallenged, especially in the South China Sea. The noticeable absence of the United States President in the last 7 years has led to China building an island and standing up an airfield in some of the most disputed waters in the world—an island, Mr. President. Can you imagine if a country tried to build an island near your state and then proceed to militarize it? It is no surprise that our allies in Southeast Asia are growing increasingly nervous with the rising military power making such aggressive claims on their doorsteps.

The current situation in Iraq. During his campaign, the President promised to withdraw U.S. troops from Iraq, which he then proceeded to do on a publicly announced timetable. Military leaders and congressional Republicans warned that telegraphing our plans to insurgents will encourage them to bide their time and wait for our troops to leave before preying upon an underprepared Iraqi military. But it was the President who told the American people and the world that the military planning was unneeded or unnecessary.

I make these points because it is against this backdrop of growing international instability and lessening U.S. influence that the Senate is now considering the National Defense Authorization Act. This legislation authorizes the funding necessary to equip our troops with the resources they need to carry out their missions.

As we look beyond the failures of the Obama administration to the challenges that lie ahead, it is even more important that when it comes to our military, we get things right. It is not America's strength that tempts our adversaries, it is our weakness. That is why we need to ensure that our military is well-equipped and trained to meet the challenges of rising powers through high-tech capabilities, while also being agile and versatile to combat increased unconventional threats from nonstate actors.

We sleep at night in peace and safety because our military stands on watch around the globe. As threats multiply across the world, we must ensure that the military has every resource it needs to confront the dangers facing our Nation. We need to support essential forward-looking weapons systems, such as the B-21 long-range strategic bomber and high-tech drones to deter and defeat future threats.

We must ensure that detainees stay at Guantanamo, instead of returning to the fight. We must ensure that our troops and their families at home have the support they need and deserve. This bill will accomplish all that.

As we continue to debate the National Defense Authorization Act, I am sure there are some contentious issues that will come up, but while there may be some disagreement, we must pass this essential legislation without delay. Playing politics with funding for our troops, as the President did by vetoking the National Defense Authorization Act last summer, is unacceptable. I urge my colleagues to join me to advance this essential legislation to provide for our troops to ensure the safety and defense of America and to help restore America's position of strength.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.
He committed that the Union Pacific will not ship Union trains of oil through the gorge until there are three developments: No. 1, the cause of the accident has been determined, No. 2, Union Pacific ensures that an accident will not happen again, and the company will be willing now to follow their recommendations that are obviously of enormous importance to the residents of Mosier.

These commitments are helpful, and we are going to monitor them closely. The company has to do everything possible to the safety of the town. If the crash had happened on Thursday, when winds were blowing 30 miles an hour and the fire would have spread to the nearby trees. If the crash had happened a mile east, it would have been on the edge of the river, causing a potentially catastrophic spill in the middle of a salmon run. If it had happened 60 miles west, it would have been in downtown Portland or in one of the suburbs.

Oregon got a lot, and at some point that luck is going to run out. What people in small communities in Oregon want to know, and what they deserve to know, is what happens next. What is Congress going to do to start fixing this first? I am here this morning with my friend and colleague from Oregon, Senator MERKLEY, to talk about what specifically we are going to do to get this fixed.

More than a year ago, I introduced legislation with Senator MERKLEY, Senator SCHUMER, and five other Senators called the Hazardous Materials Rail Transportation Safety Improvement Act. Since then, four more Senators have signed on. Among the bill’s lead supporters are the International Association of Fire Fighters and the International Association of Fire Chiefs.

Our bill reduces the chance of accidents in the first place by providing funding incentives to relocate segments of track away from highly populated areas and for States to conduct more track inspections. Next, it helps communities prepare for a possible accident by paying for training for first responders before the next accident. Finally, the bill provides market incentives to use the safest tank cars to transport hazardous materials, which lowers the chance of a spill or a fire in the event of an accident.

On Friday’s accident in Mosier as well. Mr. MERKLEY. Mr. President, I rise to talk about what specific measures so that one of these trains does not blow up in our community in the future.
after a collision about a mile from Casselton, ND. Two thousand residents were evacuated as emergency responders struggled with the intense fire.

In January 2014, a 122-car Canadian National Railway train derailed in New Brunswick, Canada. Three cars containing propane and one car containing crude oil from western Canada exploded after the derailment, creating intense fires that burned for days.

In April of that year, 15 cars of a crude oil train derailed in Lynchburg, VA, near a railside eatery and a pedestrian waterfront, sending flames and black smoke into the air. Thirty thousand gallons of oil spilled into the James River.

The list goes on. In February of 2015—

Mr. MCCAIN. Will the Senator allow an interruption so that I can be recognized for a unanimous consent request, and he then will regain the floor?

Mr. MERKLEY. I would be honored to yield to your unanimous consent proposal.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the following amendments be in order to be offered: Durbin No. 4369 and Inhofe No. 4204. I further ask that the time until 4 p.m. be equally divided between the managers or their designees and that the Senate then proceed to vote in relation to the amendments in the order listed, with no second-degree amendments to these amendments in order prior to the votes, and that there be 2 minutes equally divided prior to each vote.

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

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The PRESIDING OFFICER. Without objection, it is so ordered.
(5) An evaluation whether the maturation and deployment of governmental or private technologies currently in research and development would enhance the conventional munitions demilitarization capabilities of the Department.

(c) SUBMIT TO CONGRESS.—Not later than 18 months after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees the study conducted pursuant to subsection (a).

AMENDMENT NO. 412
(Purpose: To expand protections against wrongful discharge to sexual assault survivors)

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

SEC. 554. MEDICAL EXAMINATION BEFORE ADMINISTRATIVE SEPARATION FOR MEMBERS WITH POST-TRAUMATIC STRESS DISORDER OR TRAUMATIC BRAIN INJURY IN CONNECTION WITH SEXUAL ASSAULT.

Section 1171(a)(1) of title 10, United States Code, is amended—

(1) by inserting ‘‘or sexually assaulted,’’ after ‘‘deployed overseas in support of a contingency operation’’; and

(2) by inserting ‘‘based on such sexual assault,’’ after ‘‘while deployed’’,

AMENDMENT NO. 417
(Purpose: To require a report on the replacement of the security forces and communications training facility at Frances S. Gabreski Air National Guard Base, New York)

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

SEC. 2615. REPORT ON REPLACEMENT OF SECURITY FORCES AND COMMUNICATIONS TRAINING FACILITY AT FRANCES S. GABRESKI AIR NATIONAL GUARD BASE, NEW YORK.

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

(1) The 106th Rescue Wing is to provide worldwide Personnel Recovery, Combat Search and Rescue Capability, Expeditionary Combat Support, and Civil Search and Rescue Support to Federal and State entities.

(2) The current security forces and communications facility at Frances S. Gabreski Air National Guard Base, New York, provides combat search and rescue coverage for United States and allied forces.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the congressional defense committees a report setting forth an assessment of the need to replace the security forces and communications capability at Frances S. Gabreski Air National Guard Base.

AMENDMENT NO. 451
(Purpose: To clarify that the National Guard’s mission is both Federal and non-Federal, and to require a report on the cost of conversion of military technicians to active Guard and Reserve)

On page 619, strike lines 7 through 13 and insert the following:

(A) An assessment of the ratios of members of the Armed Forces performing active Guard and Reserve duty and civilian employees of the Department of Defense required to best contribute to the readiness of the Reserve and of the National Guard for its Federal and non-Federalized missions.

Pursuant to: To ensure continued operational capability for long-range bomber missions in the event of termination of the B–21 bomber program)

On page 556, line 2, insert ‘‘including the modernization investments required to ensure that B–1, B–2, or B–52 aircraft can carry out the full range of long-range bomber aircraft missions and operations operational plans of the Armed Forces’’ after ‘‘program’’.

AMENDMENT NO. 417
(Purpose: To fulfill the commitment of the United States to the Republic of Palau)

At the end of subtitle H of title XII, insert the following:

SEC. 1277. SENSE OF CONGRESS ON COMMITMENT TO THE REPUBLIC OF PALAU.

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

(1) The Republic of Palau is comprised of 303 islands and covers roughly 177 square miles strategically located in the western Pacific Ocean between the Philippines and the United States territory of Guam.

(2) The United States and Palau have forged close security, economic and cultural ties since the United States defeated the armed forces of Imperial Japan in Palau in 1944.

(3) The United States administered Palau as a District of the United Nations Trust Territory of the Pacific Islands from 1947 to 1994.

(4) In 1994, the United States and Palau entered into a 50-year Compact of Free Association which provided for the independence of Palau and set forth the terms for close and mutually beneficial relations in security, economic, and fiscal affairs.

(5) The security terms of the Compact grant the United States full authority and responsibility for the security and defense of Palau, including the exclusive right to deny any nation’s military forces access to the territory of Palau except the United States, an important element of our Pacific strategy for defense of the United States homeland, and the right to establish and use defense sites in Palau.

(6) The Compact entitles any citizen of Palau to voting in the United States Armed Forces, and they do so at a rate that exceeds that of any of the 50 States.

(7) In 2009, and in accordance with section 432 of the Compact, the United States and Palau reviewed their overall relationship. In 2010, the two nations signed an agreement updating and extending several provisions of the Compact, including an extension of United States financial and program assistance to Palau, and establishing increased security, economic, and cultural relations.

(8) The United States has not yet approved this Agreement or provided the assistance as called for in the Agreement.

(9) Beginning most recently on February 22, 2016, the Department of the Interior, the Department of State, and the Department of Defense have sent letters to Speaker of the House of Representatives and the President Pro Tempore of the Senate transmitting the legislation to approve the 2010 United States Palau Agreement including an analysis of the budgetary impact of the legislation.

(10) The February 22, 2016, letter concluded, ‘‘Approving the results of the Agreement is important to the national security of the United States, stability in the Western Pacific region, our bilateral relationship with Palau and to the United States’ broader strategic interests in the Asia-Pacific region.’’

(11) On May 20, 2016, the Department of Defense submitted a letter to the Chairmen and Ranking Members of the congressional defense committees in support of including legislation enacting the agreement in the fiscal year 2017 National Defense Authorization Act and concluded that its inclusion advances United States national security objectives in the region.

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

(1) to fulfill the promise and commitment of the United States to its ally, the Republic of Palau, and reaffirm this special relationship and strength of the United States to defend the homeland, Congress and the President should promptly enact the Compact Review Agreement signed by the United States and Palau in 2010.

(2) Congress and the President should immediately seek a mutually acceptable solution to approving the Compact Review Agreement and ensuring adequate budgetary resources are allocated to meet United States obligations under the Compact through enacting legislation, including through this Act.

AMENDMENT NO. 4031
(Purpose: To impose sanctions with respect to foreign persons responsible for gross violations of internationally recognized human rights)

The amendment is printed in the RECORD of May 18, 2016, under ‘‘Text of Amendments.’’

AMENDMENT NO. 4189
(Purpose: To require a report on the discharge by warrant officers of pilot and other flight officer positions in the Navy, Marine Corps, and Air Force currently discharged by commissioned officers)

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

SEC. 2070. REPORT ON DISCHARGE BY WARRANT OFFICERS OF PILOT AND OTHER FLIGHT OFFICER POSITIONS IN THE NAVY, MARINE CORPS, AND AIR FORCE CURRENTLY DISCHARGED BY COMMISSIONED OFFICERS.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Navy and the Secretary of the Air Force shall each submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the feasibility and advisability of the discharge by warrant officers of pilot and other flight officer positions in the Armed Forces under the jurisdiction of such Secretary that are currently discharged by commissioned officers.

(b) ELEMENTS.—Each report under subsection (a) shall set forth, for each Armed Force covered by such report, the following:

(1) An assessment of the feasibility and advisability of the discharge by warrant officers of pilot and other flight officer positions that are currently discharged by commissioned officers.

(2) An identification of each such position, if any, for which the discharge by warrant officers is assessed to be feasible and advisable.

AMENDMENT NO. 4256
(Purpose: To require a report on priorities for bed downs, basing criteria, and special mission units for C–130J aircraft of the Air Force)

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

SEC. 1085. REPORT ON PRIORITIES FOR BED DOWNS, BASING CRITERIA, AND SPECIAL MISSION UNITS FOR C–130J AIRCRAFT OF THE AIR FORCE.

(a) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the Air Force Reserve Command contributes unique capabilities to the total
force, including all the weather reconnaissance and aerial spray capabilities, and 25 percent of the Modular Airborne Firefighting System capabilities, of the Air Force; and (2) special mission units of the Air Force Reserve Command currently operate aging aircraft, which jeopardizes future mission readiness and operational capabilities.

(b) REQUIREMENTS FOR C-130J RED DOWNS, BASED CRITERIA, AND SPECIAL MISSION UNITS.—Not later than February 1, 2017, the Secretary of the Air Force shall submit to the congressional defense committees a report on the following:

(1) The overall prioritization scheme of the Air Force for future C-130J aircraft unit beddowns.

(2) The strategic basing criteria of the Air Force for C-130J aircraft unit conversions.

(3) The unit conversion priorities for special mission units of the Air Force Reserve Command, the Air National Guard, and the regular Air Force, and the manner which considerations such as age of airframes factor into such priorities.

(4) Such other information relating to C-130J aircraft unit conversions and beddowns as the Secretary considers appropriate.

AMENDMENT NO. 419

(Purpose: To prohibit reprogramming requests of the Department of Defense for funds for the transfer or release, or construction for the transfer or release, of individuals detained at United States Naval Station, Guantanamo Bay, Cuba.)

After section 1022, insert the following:

SEC. 1022A. PROHIBITION ON REPROGRAMMING REQUESTS FOR FUNDS FOR TRANSFER OR RELEASE, OR CONSTRUCTION FOR TRANSFER OR RELEASE, OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

While the prohibitions in sections 1031 and 1032 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 968) are in effect, the Department of Defense may not submit to Congress a reprogramming request for funds to carry out any action prohibited by either such section.

AMENDMENT NO. 4095

(Purpose: To improve Federal program and project management)

The amendment is printed in the RECORD of May 24, 2016, under “Text of Amendments.”

AMENDMENT NO. 4096

(Purpose: To authorize a lease of real property at Joint Base Elmendorf-Richardson, Alaska)

At the end of subsection C of title XXVIII, add the following:

SEC. 2820. LEASE, JOINT BASE ELMENDORF-RICHARDSON, ALASKA.

(a) LEASES AUTHORIZED.—

(1) LEASE TO MUNICIPALITY OF ANCHORAGE.—The Secretary of the Air Force may lease to the Municipality of Anchorage, Alaska, certain real property, to include improvements thereon, at Joint Base Elmendorf-Richardson ("JBER"), Alaska, as more particularly described in subsection (b) for the purpose of permitting the Municipality to use the leased property for recreational purposes.

(2) LEASE TO MOUNTAIN VIEW LIONS CLUB.—The Secretary of the Air Force may lease to the Mountain View Lions Club certain real property, to include improvements thereon, at JBER, as more particularly described in subsection (b) for the purpose of the installation, operation, maintenance, protection, repair and removal of recreational equipment.

(b) DESCRIPTION OF PROPERTY.—

(1) The real property to be leased under subsection (a)(1) consists of the real property described in Department of the Air Force Lease No. DACAB5-1-99-14.

(2) The real property to be leased under subsection (a)(2) consists of real property described in Department of the Air Force Lease No. DACAB5-1-97-36.

(c) TERM AND CONDITIONS OF LEASES.—

(1) TERM OF LEASES.—The term of the leases authorized under subsection (a) shall not exceed 25 years.

(2) OTHER TERMS AND CONDITIONS.—Except as otherwise provided in this section—

(A) the remaining terms and conditions of the lease under subsection (a)(1) shall consist of the same terms and conditions described in Department of the Air Force Lease No. DACAB5-1-99-14.

(B) the remaining terms and conditions of the lease under subsection (a)(2) shall consist of the same terms and conditions described in Department of the Air Force Lease No. DACAB5-1-97-36.

(d) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the leases under this section as the Secretary considers appropriate to protect the interests of the United States.

AMENDMENT NO. 4071

(Purpose: To redesignate the Assistant Secretary of the Air Force for Acquisition as the Assistant Secretary for Acquisition, Technology, and Logistics)

While the redesignation in section 8016(b)(4)(A) of title 10, United States Code, is amended—

(1) by striking “Assistant Secretary of the Air Force for Acquisition” and inserting “Assistant Secretary of the Air Force for Acquisition, Technology, and Logistics”; and

(2) by inserting “...technology, and logistics” after “acquisition”;

(b) REFERENCES.—Any reference to the Assistant Secretary of the Air Force for Acquisition in any law, regulation, map, document, record, or other paper of the United States shall be deemed to be a reference to the Assistant Secretary of the Air Force for Acquisition, Technology, and Logistics.

AMENDMENT NO. 437

(Purpose: To require an expedited decision with respect to securing land-based missile fields)

At the end of subsection D of title XVI, insert the following:

SEC. 1655. EXPEDITED DECISION WITH RESPECT TO SECURING LAND-BASED MISSILE FIRING SITES.

To mitigate any risk posed to the nuclear forces of the United States by the failure to replace the UH–1N helicopter, the Secretary of Defense may advise the Chairman of the Joint Chiefs of Staff—

(1) decide if the land-based missile fields using UH–1N helicopters meet security requirements and if there are any shortfalls or gaps in meeting such requirements;

(2) not later than 30 days after the date of enactment, implement that decision; or

(3) not later than 60 days after such date of enactment, implement that decision.

(B) The Secretary cannot implement that decision during the period specified in subparagraph (A), not later than 45 days after such date of enactment, submit to Congress a report that includes a proposal for the date by which the Secretary can implement that decision and a plan to carry out that proposal.

AMENDMENT NO. 414

(Purpose: To authorize military-to-military exchanges with India)

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

SEC. 1247. MILITARY-TO-MILITARY EXCHANGES WITH INDIA.

To enhance military cooperation and encourage engagement in joint military operations between the United States and India, the Secretary of Defense may take appropriate actions to ensure that exchanges between senior military officers and senior civilian defense officials of the Government of India and the United States Government—

(1) are at a level appropriate to enhance engagement between the militaries of the two countries for developing threat analysis, military doctrine, force planning, logistical support, intelligence collection and analysis, tactics, techniques, and procedures, and humanitarian assistance and disaster relief;

(2) include exchanges of general and flag officers; and

(3) significantly enhance joint military operations, including maritime security, counter-piracy, counter-terrorism cooperation, and domain awareness in the Indo-Asia-Pacific region.

Mr. MCCAIN. Mr. President, I ask unanimous consent that Senator Mikulski now vote on these amendments en bloc. The PRESIDING OFFICER. Without objection, it is so ordered.

Is there any further debate on these amendments?

Hearing none, the question is on agreeing to the amendments en bloc.

The amendments (Nos. 4136, 4293, 4112, 4177, 4054, 4079, 4317, 4031, 4169, 4236, 4119, 4065, 4086, 4071, 4247, and 4944) were agreed to en bloc.

Mr. MCCAIN. Mr. President, I mentioned to my colleagues that we would have these two votes later this afternoon, depending on an agreement between the majority leader and the Democratic leader. I thank my colleagues for their cooperation, and we look forward to those two votes.

I thank my colleague from Oregon for allowing me to make this unanimous consent request.

The PRESIDING OFFICER. For the information of all Senators, the Senate is under an order to recess at 12:30 p.m.

The Senator from Oregon.

Mr. WYDEN. Mr. President, I ask unanimous consent that Senator MERKLEY, my colleague from Oregon, be allowed to finish his remarks prior to the recess.

The PRESIDING OFFICER. Is there objection?

The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I ask unanimous consent that, at the conclusion of the Senator's remarks, I be recognized for my remarks for 8 minutes before the recess.

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

The Senator from Oregon.
Mr. MERKLEY. Mr. President, in February of 2015, on Valentine’s Day, a 109-car Canadian National Railway train hauling crude oil and petroleum distillates derailed in Ontario, Canada. The blaze burned for days.

Two days later, a 109-car CSX oil train derailed and caught fire near Mount Carbon, WV, leaking oil into a Kanawha River tributary and burning for weeks.

In November of last year, a dozen cars loaded with crude oil derailed from a Canadian Pacific Railway train, resulting in explosions and infernos.

Senator WYDEN and I have been calling for reform. We are going to keep pressing. We need better information for first responders on the scheduling of these trains. We need better knowledge of where the foam that can be used to respond is stored. We need more foam stored in more places. We need faster implementation of the brake standards and faster implementation of the speed standards and faster implementation of the railcar tanker standards.

But we have to understand what happened in every one of these wrecks. Let’s take the same diligence to this that we take to aviation. We study every plane crash to understand what went wrong so we can take these lessons and do more. We studied fire and infernos.

Let’s stop this process of having oil train crash after oil train crash, explosion after explosion, inferno after inferno. The damage has gone up dramatically as the transportation of this oil has gone up dramatically. Incidents resulted in $30 million in damage last year, up one-fourth of that the previous year.

So let’s act. Let’s act aggressively. Let’s act quickly. Senator WYDEN’s act would take us a powerful stride in the right direction.

Let’s not look to our citizens and towns with rail tracks across this country and simply shrug our shoulders. Instead, let’s say we know we have a major problem and we are going to be diligent and aggressive in solving it.

The PRESIDING OFFICER. The Senator from Oklahoma.

AMENDMENT NO. 4204

Mr. INHOFE. Mr. President, I ask unanimous consent to strike the pending amendment in order to call up amendment

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

The clerk will report.

The senior assistant legislative clerk read as follows:

The amendment is as follows:

(Purpose: To strike the provision relating to the pilot program on privatization of the Defense Commissary System)

Strike section 662.

Mr. INHOFE. Mr. President, I ask unanimous consent that the following Senators be added as cosponsors to the amendment numbered 4204: Sessions, Rubio, Shelby, Moran, Warren, Peters, and Menendez.

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

The amendment is as follows:

(Purpose: To strike the provision relating to the pilot program on privatization of the Defense Commissary System)

Strike section 662.

Mr. INHOFE. Mr. President, I ask unanimous consent that the following Senators be added as cosponsors to the amendment numbered 4204: Sessions, Rubio, Shelby, Moran, Warren, Peters, and Menendez.

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

Mr. INHOFE. Mr. President, we have been here before. The same language that is in the base bill right now was in a year ago. On the floor last year, we passed the Inhofe-Mikulski amendment, requiring a Secretary of Defense report on commissary benefits. It passed by unanimous consent with 25 bipartisan sponsors and cosponsors, and it was supported by 41 outside organizations and by the administration.

It required a study on the impact of privatization of commissaries on military families before a pilot program on privatizing could be implemented and that was to look at modifications to the commissary system.

I am sending the language now, which I will get to in a minute. It required a Comptroller General assessment of the plan no later than 120 days after the pilot program.

Here is the situation. The House passed the fiscal year 2017 NDAA, and it doesn’t include privatization language. The Senate version has the same language as last year, which would authorize a pilot program to privatize five commissaries on five major military bases. But only yesterday, we received the report from the Secretary of Defense. We have not yet received the Comptroller General’s report.

Congress asked for this study because of concerns about the impact that privatization could have on our service members and the commissary benefit. It seems as if we are taking away benefits we are working these guys and gals harder than we ever have before, and this is one very significant benefit that is there.

Senator Mikulski and I, along with our now 38 cosponsors—last year it was 25—and with the support of 42 outside organizations are offering a simple amendment that strikes the privatization pilot program, allowing Congress to receive and vet the Secretary of Defense report and the valuation of the Comptroller.

This is not the first time this was done. The January 2015 report by the Military Compensation and Retirement Modernization Commission determined that commissaries were worth preserving and that we should not privatize. That report took place almost 2 years ago.

When surveyed in 2014, 95 percent of the military members were using commissaries and gave them a 91-percent satisfaction rate.

According to the Military Officers Association of America, the average family of four who shops exclusively at commissaries sees a savings of somewhere between 30 percent to 40 percent. Congress asked for this study because...
Mr. President, I ask unanimous consent to have printed in the Record the Members who are cosponsors and the organizations that are supporting the Inhofe-Mukulski amendment No. 4204.

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

INHOFE-MUKULSKI AMENDMENT #4204
(1) Boozman (R-Ark.), (2) Boxer (D-Cali.), (3) Brown (D-Ohio), (4) Burr (R-N.C.), (5) Capito (R-W.Va.), (6) Cardin (D-Md.), (7) Casey (D-Pa.), (8) Corker (R-Tenn.), (9) Cornyn (R-Texas), (10) Hatch (R-Utah), (11) Heller (R-Nev.), (12) Hirono (D-Hawaii), (13) Kaine (D-Va.), (14) Klobuchar (D-Minn.), (15) Lankford (R-Okla.), (16) Menendez (D-N.J.), (17) Moran (R-Kan.).


Organizations Supporting this Amendment:


Mr. INHOFE. Mr. President, I yield back the remainder of my time.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:53 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2017—Continued

The PRESIDING OFFICER. The Senator from Maryland.

AMENDMENT NO. 4204
Ms. MIKULSKI. Mr. President, I rise today to offer a bipartisan Inhofe-Mukulski amendment to the National Defense Act. What does our amendment do? It stops the privatization of commissaries, which are an earned benefit for our military and their families.

Every year when the Senate debates this bill, we talk about how we love our troops and how we always want to support our military families. But if we really love our troops, we need to make sure our troops have the support they need. One of the earned benefits that does that is the commissaries. And if we love our troops, we don’t want to proceed in this direction of privatization? Our troops don’t view commissaries as a subsidy; they view them, as do I, as an earned benefit. I am fighting here to preserve this piece of the earned benefit compensation package.

What are the commissaries? Since 1826, military families have been able to shop at a network of stores that provide modestly priced groceries. The commissary system is simple: if you are an Active-Duty, Reserve, National Guard, retired member, or a military family member, you have access to more than 250 commissaries worldwide. They give military members and their families affordability and accessibility to health foods.

Senator INHOFE spoke earlier about where these commissaries are. Some are located in our country, and some in remote areas, and over 40 percent are either in remote areas or overseas.

Last year Senator INHOFE and I stood up for military family benefits to stop privatization. Congress adopted our amendment, but in doing so required a DOD study assessing privatization, which would affect commissaries. We needed to understand how privatization would affect levels of savings, quality of goods, and impact on families. DOD finally gave us the report on June 6, 2016. So they dropped the report on D-day, and guess what? It reaffirms what Senator INHOFE and I have been saying: We should not privatize commissaries without additional study. The report is simple and straightforward: We should not proceed with the privatization or a pilot on privatization until further study.

First, DOD has demonstrated that privatization cannot replicate the savings the current commissary system provides. Second, privatization significantly reduces the benefits available to commissary patrons. And privatization would dramatically reduce the workforce, which is where so many military families work. The DOD cannot move...
forward with privatization with a large number of unknowns.

We must honor the DOD request and fully evaluate the implications of privatization before we make drastic changes that hurt our military families. Everyone should support the Inhofe-Mikulski amendment. Our amendment is straightforward.

It strikes bill language authorizing a pilot program privatizing commissaries. It is supported by 41 organizations—the American Logistics, the National Guard Association, the National Military Family Association.

Privatizing commissaries is penny wise and pound foolish. If we care about the health of our troops, we must reject this.

I have been to the commissaries in Maryland. Go to the one at Fort Meade. Fort Meade is a tremendous place. We might not deploy troops the way Fort Bragg or Camp LeJeune does, but what we do there is phenomenal. There are 58,000 people who work at Fort Meade. We are in the heart of Maryland, which has such a strong military presence, both Army and Navy. If you came to the commissary with me, you would see it as a nutritious place. You would really like it because you see people there, first of all, of all ranks and ages mingling together. You might see a young woman who is married to an enlisted member of the military, and she is learning about food and nutrition. She is getting advice, and she is getting direction, in addition to saving money. Also, if you go there, you would see oldtimers, who—although they are counting their pennies, they are counting their blessings that they have this commissary to be able to go to.

When I say a settlement house, it is a gathering to learn about food, about nutrition, about a lot of things. It often offers healthier food at cheaper prices.

When I talked with our garrison commander about something he and I worked on together called the Healthy Base Initiative, he said that what we were doing there was so phenomenal. We worked to bring in things like salad bars and some of the more modern things. We worked to bring in things like salad bars and some of the more modern kinds of things. This was just phenomenal.

So, first, we need commissaries. Second, we are looking at how to make the budget neutral, and I don’t argue with that point, the DOD study itself says we need to explore two things: other ways of achieving budget neutrality—and they had some suggestions—and also explore with the private sector who would be interested in privatization whether it would result in cost savings without costing the benefits, meaning what is really sold there in nutrition. There are a lot of new and wonderful ideas. My father ran a small grocery store. He was amazed at what grocery stores are now. But things like going to private labeling, better management—the DOD has some other toolkits to do before we go off on this approach to privatizing without analyzing. So I am for analyzing and then looking at the next step.

The report this year just arrived. I know authorizing committees didn’t have the benefit of it. So I hope we will stick with Senator INHOFE and me, reject this amendment, look out for our troops, and let’s explore other ways to achieve budget neutrality, but let’s not just arbitrarily single out this earned benefit food program.

Mr. President, the chair of the Armed Services Committee looks like he is eager to speak, but I also want to say that I support the Durbin amendment and we will be voting on later on this afternoon. I am a strong supporter of DOD’s Congressionally Directed Medical Research Program. I was very concerned about the bill language. I understand the need for regulation but not strangulement. What is proposed in this bill that would single out this, I fear it would stop this research altogether. We can’t let that happen, and Senator DURBÍN’s amendment would ensure that this program is allowed to continue its lifesaving discoveries. This Congressionally Directed Medical Research has done so much good in so many areas, and we have large numbers of groups—from the Breast Cancer Coalition to the disabled veterans themselves—who support the Durbin amendment.

I have been supporting this program for more than 25 years. It all started in 1992 when the breast cancer community was looking to create a new research program. And by the way, the breast cancer advocates were just as organized, mobilized, and galvanized back then as they are today. The advocates knew that DOD ran the largest health system in the country and envisioned a new research program that was peer-reviewed and included input from not just scientists but also advocates. This was a new concept at the time that the needs of a community affected by disease would be considered when determining research priorities.

So we started with breast cancer in 1992 and quickly expanded to look at other illnesses and conditions. Since 1992, Congress has provided more than $11.7 billion to fund more than 13,000 research grants. Today DOD’s medical research program studies prostate cancer, Alzheimer’s disease, multiple sclerosis, lung cancer, ovarian cancer, autism, amputation research, and many others. And I am so proud that research is conducted at Fort Detrick in Maryland, Johns Hopkins, and the University of Maryland.

Almost immediately Congress’s investment in DOD’s medical research program paid off—and with dividends. Breast cancer research led to the development of Herceptin, a standard care for the treatment of breast cancer. Lung cancer research led to creation of the first lung cancer bio-specimen repository with clinical and outcome data available to all researchers studying lung cancer. Traumatic brain injury research led to the development of two FDA-cleared devices to screen for and identify TBI in military members. Amputee care research led to the development of amputee trauma trainer, a device which replicates blast injuries from IEDs in war zones. It training physicians to better respond to war injuries. Some of the DOD’s regenerative medical breakthroughs are so astonishing you would think you were reading science fiction. The Department’s medical research program supported the first ever double hand transplantation on a combat-wounded warrior. Wow—so proud that this ground-breaking procedure was developed and performed at Johns Hopkins. This is just a snapshot. The list of successes are as long as they are inspiring.

For years, opponents of DOD’s medical research program have argued against this program. They say, “Oh, this research is duplicative. Oh, this research would only benefit active military.” Well, I say “no” to both arguments.

First, DOD’s research is complementary to NIH’s research but is not duplicative or redundant. In fact, the Department of Defense’s research has been peer-reviewed by doctors, scientists, advocates, and Federal agencies to ensure there is not duplication in efforts. The Institute of Medicine has reviewed DOD’s program and found it to be efficient and effective.

Second, we know the diseases studied by DOD affect both active military and their families. Imagine if we refused to allow DOD to study breast cancer in 1992 simply because there were fewer than 15,000 breast cancer cases? We would have the advances that we do today saving lives and improving lives. Taking care of military families is an essential part of our promise to our men and women in uniform.

We have an opportunity to block this misguided language in the underlying bill that would have terrible consequences for medical research. The discoveries and treatments speak for themselves. I urge my colleagues to support Senator DURBÍN’s amendment.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.
King or McDonald’s or Dunkin’ Donuts or use UPS, you can go on a military base and they will provide you that service. The government doesn’t do it. They don’t make hamburgers. They don’t carry mail. All of a sudden, now we have to have more studies. The real study is to see if a pilot program which proves successful.

By the way, if you ask the men and women who are in the military “Would you like to shop at Walmart or Safeway or one of these others if it is convenient?” You know what the answer is? “Of course. Yes.” Because there is more variety and there are lower prices.

Does my colleague, the Senator from Maryland, know that we are spending over $1 billion of taxpayer money on these commissaries every year, when we could probably do it for nothing or even charge these groups or commercial enterprises that would like to come in, in a pilot program, to a military base? For Belvoir? The Commissary right here, the highest grossing store in the system, loses 10 cents on every dollar of goods it produces and sells, and guess who covers those losses. The taxpayers of America.

It is not an attempt to take away the commissary benefits; it is an attempt to see if the men and women in the military and all their dependents around the bases might get a better product at a lower price. That is what five—five—privatizations are attempting to try.

Yesterday, we received the Department of Defense report on its plan to modernize the commissary and exchange systems. In that report, DOD stated that private sector entities are “willing to engage in a pilot program.” DOD has told us that at least three major private sector entities are interested in testing commissary privatization. This has led DOD to publish a request for information to industry to give feedback on how a privatization pilot program could work. So why would my colleague support an amendment that would delay what needs to be done now?

This is really all about an outfit called the grocery brokers. That industry has been working overtime to stop this pilot program because if it is successful, privatization would destroy their successful business model because they wouldn’t have to use the grocery brokers. This is what is this all about, my friends.

So rather than paying over $1 billion a year to be in the grocery business, privatization might provide—I am not saying it will, but it might provide the Department of Defense with an alternative method of giving the men and women in the military and our retirees high-quality grocery products, higher levels of customer satisfaction, and discount savings, while reducing the financial burden on taxpayers. We need to have a pilot program for sure.

Five pilot programs is not the end of civilization as we know it. It is not a burden on the men and women who are serving. I have talked to hundreds of men and women who are serving. I said “How would you like to have Safeway on the base? How would you like to have Walmart?” and they said “Gee, I would really like that” because they don’t have to go from base to base which to choose—not to mention, although it doesn’t seem to matter around here, it might save $1 billion for the taxpayers. But what is $1 billion? We are going to spend a couple billion dollars in military research, and guess what? The Senator from Maryland obviously is in favor of—calling it in the name of defense, when it absolutely should be funded by other branches of the Appropriations Committee, rather than the Willie Sutton syndrome and taking it out of defense.

All I can say to the Senator from Maryland is that all we are talking about is giving it a try in five places. Let’s not go to general quarters about this. We all want—I think we can save the taxpayers $1 billion a year. We are not going to close any commissaries in any remote areas. We are not doing anything but a five-base pilot program. That is all there is to this amendment, and I portray it and everything else is just a distortion of exactly what the legislation has clearly stated its intent to be.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. MURKOWSKI. Mr. President, despite what was just said, I am not in the pocket of something called grocery brokers. I am not here showing for something called grocery brokers. I am here to stand up for military and military families. I want the record to show that I don’t even know what grocery brokers are. I know what a grocery store is because my father ran his business on.

Let’s talk about the DOD-mandated report that we did last year when we discussed this. The report acknowledges that privatization would not be able to replicate the range of benefits, the level of savings, and the geographic reach provided by the commissaries while achieving budget neutrality. DOD is continuing its due diligence on privatization. This has been a good exchange, and I respect my colleague from Arizona in the way he has stood up for defense. I know he wants to serve the troops as well. So let’s see where the votes go, and we look forward to advancing the cause of the national security for our Nation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I thank the Senator from Maryland. I always enjoy spirited discussion with her. She is a wonderful public servant, and I am happy, and then these others are good because she has an honorable record of outstanding service, and I always enjoy doing combat.
I yield the floor. **The PRESIDENT.** The majority whip.

**HEAR ACT**

Mr. CORNYN. Mr. President, earlier today, the Senate Judiciary Subcommittee on Crime and Terrorism convened a hearing on a piece of legislation I introduced with several of my colleagues called the Holocaust Expropriated Art Recovery Act, or the **HEAR Act.** This bill is long overdue, and like most pieces of good legislation, it is pretty straightforward.

During the Holocaust, Nazis regularly confiscated private property, including artwork, adding one more offense to their devastating reign. Today, the day after the anniversary of D-Day and decades after World War II ended, there are still families who haven’t been able to get their stolen artwork or family heirlooms back.

The **HEAR Act** will support these victims by giving them a chance to have their claims decided on the merits in a court of law and hopefully facilitate the return of artwork stolen by Nazis to their rightful owners. That is why we called the hearing “Reuniting Victims with Their Lost Heritage.” It is true that the final solution in World War II was not just the extermination of the Jewish people but erasing their culture. This was part of the overall plan in Hitler’s final solution. This legislation will help those who had very precious pieces of their family and cultural heritage stolen to find justice.

This legislation is also consistent with our country’s diplomatic efforts and longstanding congressional policy. I am grateful to my colleague from Texas, Senator Cruz, as well as the senior Senator from New York, Mr. SCHUMER, and Connecticut, Senator BLUMENTHAL, for joining me in introducing this bipartisan piece of legislation. I hope the Senate Judiciary Committee will mark this up soon and the full Chamber will consider it soon.

Mr. President, separately, as we continue our work on the Defense authorization bill, I want to talk for a moment about how important that is. Yesterday I spent some time talking about the threats not only to our troops overseas who are in harm’s way but threats that those of us here at home are experiencing as a result of a more diversified array of threats than we have seen in the last 50 years. I say “50 years” because the Director of National Intelligence, James Clapper, has served in the intelligence community for 50 years, and that is what he said—we have a more diverse array of threats today than he has seen in his whole 50-year career. That includes here at home because it is not just people traveling from the Middle East to the United States or people coming from the United States over to the Middle East training and then coming back but homeland terrorists—people who are inspired by the use of social media and instructed to take up arms where they are and kill innocent people in the United States and, unfortunately, as we have seen in Europe as well.

As we think about the legacy of this President and his administration when it comes to foreign policy, I am reminded of a former President Jimmy Carter, a Democrat, commenting on another Democratic President’s foreign policy. When he was asked, he candidly admitted and said: “I can’t think of a single place in the world where my policies were better off or held in higher esteem than it was before this administration. He called the impact of President Obama’s foreign policy minimal. I would suggest that is awfully generous, if you look around the world, the threats of a nuclear-armed North Korea, which has intercontinental ballistic missiles it has tested in creating an unstable environment there with our ally and friend to the south, South Korea, if you look at what is happening in Europe as the newly emboldened Putin has invaded Crimea and Ukraine with very little consequences associated with it. I have said it before and I will say it again, weakness is a provocation. Weakness is a provocation to the world’s bullies, thugs, and tyrants, and that is what we see in this case.

In the Middle East, President Obama talked about a red line in Syria when chemical weapons were used, but then when Bashar al-Assad saw that there would be no real followthrough on that, it was a hollow threat and indeed he kept coming, barrel-bombing innocent civilians in a civil war which has now taken perhaps 400,000 lives. Then, we have seen it in the South China Sea, where China, newly emboldened, is literally building islands in the middle of the South China Sea—one of the most important seaplanes to international commerce and trade in Asia.

I will quote on North Korea again. Former Secretary of Defense Leon Panetta said: “We’re within an inch of war almost every day in that part of the world,” talking about Asia, with the threat of China in the South China Sea. North Korea. As far as North Korean aggression is concerned, this administration has basically done nothing to counter that aggression.

Under the President’s watch, this regime has grown even more hostile and more dangerous because it is so unstable. In fact, when she was Secretary of State, Secretary Clinton testified in her confirmation hearing that her goal was “to end the North Korean nuclear program.” That is what Secretary Clinton said. Her goal was to end the North Korean nuclear program. She even promised to embark upon a very aggressive effort to that effect.

We know what happened. Instead, she adopted what was later euphemistically called strategic patience. That is just another way of saying doing nothing. This more laid-back approach is simply lost on tyrants like we see in North Korea, and it certainly didn’t punish the North Korean leadership for its hostilities.

We can’t continue down the reckless path of ignoring challenges around the world or retreating where people are looking for American leadership. That is why I am so critical of the Administration’s foreign policy. It doesn’t demonstrate our commitment to our men and women in uniform by passing this important Defense authorization bill this week.

We have an all-volunteer military, and that is a good thing. We have many patriots who join the military, train, and then are deployed all around the world, as directed by the Commander in Chief, but the idea that we would not follow through on our commitment to make sure they have the resources they need is simply unthinkable.

I hope we will continue to make progress on the Defense authorization bill and make sure we provide the resources, equipment, and authorization they need in order to defend our country. Let’s get the NDAA, the Defense authorization bill, done this week.

I yield the floor.

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

**The PRESIDENT.** The clerk will call the roll.

Mr. MCCAIN. Mr. President, while we are waiting for others to speak on the floor, I think it is important to take a moment to talk about the lead editorial in this morning’s Washington Post, which describes the events transpiring in Syria, as we speak. The lead editorial says:

Empty words, empty stomachs. Syrian children continue to face starvation as another Obama administration promise falls by the wayside.

This is a devastating and true story. It has been nearly six months since the U.N. Security Council passed a resolution demanding an end to the bombing and shelling of civilian areas in Syria and calling for immediate humanitarian access to besieged areas. It’s been four months since Secretary of State John F. Kerry described the sieges as a “catastrophe” of a dimension unseen since World War II and said that “all parties of the conflict have a duty to facilitate humanitarian access to Syrians in desperate need.”

Those were the words of Secretary of State John Kerry back in February. The editorial continues:

By Monday, there still had been no food deliveries to Darayya in the Damascus suburb of Jobar—just several thousand calories a day to the other 19 besieged areas, with a population of more than 500,000, identified by the United Nations. Nor had there been airdrops. Nor had there been organizations known as U.N. officials say none are likely in the coming days. Another deadline has been blown, another red line crossed. Children in the besieged towns are still starving.

This is heartbreaking. It is heartbreaking. Children in besieged towns are still starving.
Mr. DURBIN. Mr. President, is there an order of business that has been agreed to by unanimous consent?

THE PRESIDING OFFICER. The time until 4 p.m. is equally divided.

Mr. DURBIN. Mr. President, I find it hard to understand why one would want to eliminate funding for militarily relevant defense medical research—research that offers families hope and improves and saves lives—especially now. When you look at the body of medical-research across all Federal agencies, we are getting closer to finding cures for certain cancers, closer than ever to understanding how to delay the onset of neurological diseases like Alzheimer’s and Parkinson’s, closer than ever to developing a universal flu vaccine. Now is the time to be ramping up our investment in medical research, not scaling it back. Yet, there are two provisions in this Defense authorization bill that would effectively end the Department of Defense medical research program. These two provisions are dangerous. They cut medical research funding, which will cost lives—military lives and civilian lives. That is why I filed a bipartisan amendment, together with Senator COCHRAN, the chairman of the Senate Appropriations Committee, which will be considered by the Senate this afternoon.

My legislation would remove Chairman MCCAIN’s provisions so that life-saving medical research in the Department of Defense can continue. Senator MCCAIN’s two provisions, found in sections 756 and 898, work hand in hand to end the Department of Defense medical research program.

His first provision requires the Secretary of Defense to certify that each medical research grant is “designed to directly promote, enhance, and restore the health and safety of members of the Armed Forces”—not veterans, not members of U.S. government mem-

ers, and not children of military families. In my view, they are all part of our national defense, and they should all be covered by the DOD health care system and research.

Senator MCCAIN’s second provision, section 898, would require that medical research grant applicants meet the same accounting and pricing standards that the Department requires for procuring contracts. This is a dramatic change in the current situation. Senator MCCAIN estimates that 10 CCR and 12 Federal regulations are simply roadblocks. If an applicant fails that test, it is first showing clear military relevance. If an applicant fails that test, it is over. If they clear it, they will be subject to a host of criticism and scrutiny by researchers, and then representatives from the National Institutes of Health and the Department of Veterans Affairs sit down and measure each grant against existing research. These rules are in place to protect taxpayers’ dollars, and they do. Senator MCCAIN is now seeking to add miles of red tape to this program in the name of protecting it. His provisions go too far.

The Congressional Research Enterprise, which represents a broad coalition of research universities and institutes, wrote: “These sections”—re-

ferring to the Senate Appropriations sections—“will likely place another administrative burden on the DOD scientific research enterprise and slow the pace of medical innovation.”

When we asked the Department of Defense and the Congressional Budget Office to give an analysis of Chairman MCCAIN’s provisions, they concluded—after looking at all of the red tape created by Senator MCCAIN—that these issues would lead to the failure of the Congressionally Directed Medical Research Program. That is clear and concise, and, sadly, it is accurate.

What Senator MCCAIN has proposed as a new administrative bureaucratic burden on medical research at the Defense Department, if properly responsible, it doesn’t protect taxpayers, and it is not in pursuit of small government by any means. These provisions are simply roadblocks.

Let’s talk for a minute about the medical research funding by the Department of Defense. Since fiscal year 1992, this program has invested $11.7 billion in innovative research. The U.S. Army Medical Research and Materiel Command determines the appropriate re-

search strategy. They look for research gaps, and they want to fund high-risk, high-impact research that other agencies and private investors may be unwilling to fund.

In 2004, the Institute of Medicine, an independent organization providing objective analysis of complex health issues, looked at the DOD medical research program, and they found that this program “has shown that it has been an efficiently managed and scientifically productive effort.” The Institute went on to say that this program “concentrates its resources on research mechanisms that complement rather than duplicate the...
research approaches of the major funders of medical research in the United States, such as industry and the National Institutes of Health." This has been a dramatically successful program.

I would like to point to a couple of things that need to be noted in the RECORD when it comes to the success of this program. This morning Senator MCCAIN raised a question about funding programs that relate to epilepsy and seizures when it comes to the Department of Defense medical research program. In a recent video produced by the Citizens United for Research in Epilepsy, they share heartbreaking stories of veterans suffering from post-traumatic epilepsy and the recovery challenges they face. They shared the story of retired LCpl Scott Kruchten. His team of five marines, during a routine patrol, drove over an IED. He was the only survivor. He suffered severe brain injury. Lance Corporal Kruchten suffered severe head injury while they were transporting him to Baghdad for surgery. He has been on medication ever since. In fact, seizures set back all of the other rehabilitation programs that injured veterans participate in, slowing their recovery.

Since the year 2000, over 300,000 Active-Duty military servicemembers have experienced an incident of traumatic brain injury. Many of them are at risk of developing epilepsy. Post-traumatic epilepsy comprises about 20 percent of all symptomatic epilepsy. According to the American Epilepsy Society, over 50 percent of traumatic brain injury victims with penetrating head injury from Korea and Vietnam developed post-traumatic epilepsy. The research we are talking about is relevant to the military. It is relevant to hundreds of thousands who have faced traumatic brain injury. I don't know why Chairman McCAIN pointed out to me as an example of research that is unnecessary to the Department of Defense. It is clearly necessary for the men and women who serve our country.

Let me say a word about breast cancer too. In 2002, after serving in the Air Force for over 25 years, SMSgt Sheila Johnson Glover was diagnosed with advanced stage IV breast cancer which had spread to her liver and ribs. She said breast cancer cut her military career short. She was treated with Herceptin, a drug developed with early support from the Department of Defense medical research funding. According to Sheila, "It is a full circle with me, giving 25 years of service in the DOD and the Department of Defense giving me back my life as a breast cancer patient."

Sheila is not alone; 1 out of every 8 women is at risk of developing breast cancer in her lifetime and 175,000 women and families are expected to be diagnosed with the disease each year; With more than 1.4 million Active-Duty females and female spouses under the Federal military health system, breast cancer research is directly related to our military and our community.

Breast cancer research started this medical research program in the Department of Defense. It was given a mere $46 million at the start. Over the span of the research programs at the Department of Defense, a little over $11 billion has been spent. Almost one-third of it has gone to breast cancer research, and they have come up with dramatic, positive results, some of the development of this drug Herceptin.

The point I am getting to is this. If you believe the military consists of more than just the man or woman in a uniform but consists of their families and those who have served and who are now veterans, if you believe their medical outcomes are critically important to the future of our military, then you can understand why medical research programs such as this one, which would be virtually eliminated by Chairman McCAIN's language, is so important for the future strength of our men and women in uniform and the people who support them.

Let me tell you about a constituent who wrote me last month. This photo shows Linda and Al Hallgren. Al is a U.S. veteran, survivor of bladder cancer. Linda wrote to me and said:

"When my husband was originally diagnosed in 2003, our only options were bladder removal followed by chemotherapy. Prognosis based on his cancer was months to a year or so. There were so many questions that came to mind, primarily around, "How do I get this?"

But as she pointed out to me, Al is a fighter, a survivor. Two years later, here they are, the two of them, enjoying a ride on a motorcycle.

When she passed along this photo, here is what she said: "We continue to fight the battle and take moments out to enjoy life to the fullest one day at a time."

She noted in her letter that there are many risks with bladder cancer associated with military service. Smoking is the leading cause. The incidence of smoking among our military members is entirely too high.

The Institute of Medicine also took a look at the use of Agent Blue from 1961 to 1971 in the Vietnam war and its linkage to bladder cancer. It is the fourth most commonly diagnosed cancer among veterans but only the 27th highest overall. Since then, we also learned with Herceptin. So the story of this family and what they have been through releases an important question. Do we have an obligation to this individual who served our country, served it honorably, came home and suffered a serious medical illness? Do we have an obligation, through medical research, to try to find ways to make his life better, to make sure we spare him the pain that is associated with many of the things that are linked to his service in our military? Of course, that is what we do. So when I hear language with this language that the chairman put in his authorization bill to eliminate these medical research programs?

I mentioned earlier the advancements that were made in breast cancer research. In 1993, the Department of Defense awarded Dr. Dennis Slamon two grants totaling $1.7 million for a tumor tissue bank to study breast cancer. He began his work several years earlier with funding from the National Cancer Institute, but researchers still lacked the regular source of breast tissue from women. That is when the DOD funding made a difference. Dr. Slamon's DOD-funded work helped to develop Herceptin, which I mentioned earlier.

At lunch just a few minutes ago, we heard from Senator BARBARA MIKULSKI. She told about the lonely battle which she fought for years for women to get medical research. Sadly, the National Institutes of Health and other places were doing research only on men. Thank goodness Senator MIKULSKI and others spoke up. They spoke up and NIH started changing its protocols. Then they went to the Department of Defense and said: We want you to focus on breast cancer. If you will, for the emerging role of women in our military, and they did with dramatic results. Now comes a suggestion from Chairman McCAIN that we are to put an end to this research. We should burden it with more red tape. I don't think it makes sense. It certainly doesn't make sense for the men and women serving in the military and the spouses of the men who serve in the military who certainly understand the importance of this research.

DOD-funded research developed a neurocognitive test for diagnosing Parkinson's disease. The Department of Defense research also identified additional genetic risk factors for developing the disease, including two rare variants that we now know connect the risk for Parkinson's with traumatic injury to the head. What we find when we look at the list of research, such as Parkinson's disease, and question why that has any application to the military is that they have an application, they knew there was a connection, and it was worth seeking.

Here is the bottom line. People have lived longer and more productive lives because of DOD-funded medical research, and we have an opportunity to help even more people if my amendment passes and we defeat the language that is in this Defense authorization bill.

Sixty-three Senators from 41 States, both sides of the aisle, requested increases in medical research for our next fiscal year. We can't earmark where that research is going to take place—that goes through a professional process—but you can certainly point out to the Department of Defense areas where they might have some interest, and we can make the changes.

If the McCain provisions become law, they put an end to research programs requested by a supermajority of the Senate.
Mr. President, how much time have I used and how much time currently remains?

The PRESIDING OFFICER (Mr. LANKEFORD). There is 22½ minutes remaining.

Mr. DURBIN. I will yield the floor at this point to see if others are seeking recognition.

Mr. GRAHAM. Mr. President, how much time is remaining for our side?

The PRESIDING OFFICER. There is 30 minutes remaining for the majority.

Mr. GRAHAM. If it is OK with the Senator, I will make a few comments.

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

Mr. GRAHAM. No. 1, when it comes to Senator DURBIN, there is no stronger voice for medical research in the Senate and he should be proud of that.

Senator DURBIN and I are cochairing the NIH caucus, the National Institutes of Health, to make sure we take the courage of our convictions at the Federal level and adequately fund it, to try to make it more robust, and in times of budget cuts, sequestration across the board, I want to compliment Senator BLUNT and Senator DURBIN and others for trying to find a way to increase NIH funding. I think we will be successful, and a lot of credit will go to Senator DURBIN.

As to the military budget, we are on course to have the smallest Army since 1940. We have to have the smallest Navy since 1915 and the smallest Air Force in modern times. Modernization programs are very much stuck in neutral. The wars continue, and they are expanding. By 2021, if we go back into a sequestration mode, we will be spending half of normally what we spend on defense in terms of GDP.

So to those who want to reform the military, count me in. This will be one of the most reform-minded packages in the history of the Department of Defense. What we are suggesting is that we should make a dramatic increase in NIH funding. I think we will be successful, and a lot of credit will go to Senator DURBIN.

So the two measures we are proposing—to continue medical research within the Department of Defense. What we are suggesting is that we look anew. What the committee has decided to do—Senator MCCAIN—is to say the Secretary of Defense has to certify that the money in the medical research budget in the Department of Defense is actually related to the defense world. There are a lot of good things being done in the Department of Defense in terms of medical research, but the question for us is, in that $1 billion, how much of it actually applies to the military? And we need to say that the money in the military was spent out of DOD’s budget for things not related to defense hurts our ability to defend the Nation.

It is not a slam on the things they are doing. I am sure they are all worthwhile. The question is, Should that be done somewhere else and should it come out of a different pot of money?

So the two measures we are proposing—to continue medical research in the future, the Secretary of Defense has to certify that the medical research program in question is related to the Department of Defense’s needs, and there is a pretty broad application of what “need” is—traumatic brain injury and all kinds of issues related to veterans. Of the $1 billion, using the criteria I have just suggested where there is a certification, some of the money will stay in the Department of Defense, but some of it will not because if we look at that $1 billion, a lot of it is not connected to what we do to defend the Nation.

The second requirement is that if they are going to get research dollars, they have to go through the same process as any other contractor to get money from the Department of Defense. That means they are in the same boat as anybody else who deals with the Department of Defense. If that is a redtape burden, then everybody who deals with the Department of Defense has to go through the same procedure. Not just writing a check to somebody, there is a process to apply for the money and the contracting rules will apply. These are the two changes—a certification that the money being spent on medical research is not related to the military, the Department of Defense, and in order to get that money one has to go through the normal contracting procedures to make sure there is competition and all the i’s are dotted and t’s are crossed. I think that makes sense.

I think some of the money we are spending under the guise of military Department of Defense research has nothing to do with the Department of Defense, and we need a process so we can find to defend the Nation. Many of these programs are very worthwhile, I am sure, and I would be willing to continue them somewhere else. I am supporting a dramatic increase in NIH funding. I am very much for research, but if we are going to bring about change in Washington, and if people like me who want a stronger military are going to advocate for a bigger military, I think we have an obligation to have a smarter, more reformed system. Not trying to have it both ways, I am looking at how the Pentagon works at every level, along with Senator MCCAIN, and we are bringing structural changes that are long overdue.

I want to compliment Senator REED, who has been a great partner to Senator MCCAIN. We don’t always agree, but I think Senator REED has bought into the idea that the Pentagon is not immune from being reformed and the status quo has to change.

So with all due respect to Senator DURBIN, I think the provisions Senator MCCAIN has crafted make sense to me. To get research dollars in the future, the Secretary of Defense has to certify that the money in question helps the Department of Defense, and if one is going to bid for the business, they must go through the normal contracting process to make sure it is done right. Those are the only two changes.

Those programs that will be knocked out of the Department of Defense, I am certainly willing to keep them funded somewhere else. I think that is a long-overdue reform.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I would like to respond to my friend from South Carolina. We are friends. We have worked on a lot of things together. I hope we will continue to do so in the future. We clearly see this issue differently today.
Two-tenths of 1 percent of the Department of Defense appropriations will go for medical research—about $1 billion in a budget of $524 billion. It is not an outrageous amount. We are not funding medical research at the expense of being able to defend America. Hardly anyone would argue that, but a small percentage would. I can make an argument—and I have tried effectively here—that when it comes to the medical research that is being done through the Department of Defense, it is extraordinary.

We have achieved so much for a minimal investment in so many different areas. I could go through the list—and I will—of those areas of research that have made such a big difference. I also want to say that there are 149 universities, veterans organizations, and medical advocacy groups that support the amendment that I offered today. The reason it is that this has been suggested—that this is not just another procedural requirement being placed in front of these institutions that want to do medical research—really understates the impact it will have.

The Department of Defense itself, after analyzing the McCain language that comes to us on this bill, said it will create a burden, a delay, additional overhead costs. The one thing we have not heard from Chairman McCain or anyone on his side of the issue is what is the reason for this? Why are we changing a process that has been used for 24 years? Has there been evidence of scandal, of waste, of abuse?

Out of the thousands and thousands of research grants that have been given, only a handful have raised questions, and very few of those go to the integrated threat areas—where the enemy is most likely to wage war. It has been a question about the medical procedure that was used. If we are going to impose new bureaucracies, new red tape, new requirements, new audits, why are we doing it? If there is a need for it, I will assure everyone here and protect the taxpayers' dollars. But that is not really what is at stake here.

This morning on the floor, Chairman McCain made it clear. He just does not want medical research at the Department of Defense. He wants it limited strictly to certain areas and not to be expanded to include the families of those serving in our military—our veterans—through the Department of Defense. That is his position. He can hold that position. I certainly disagree with it.

If we take an honest look at this, what we have done in creating this new bureaucracy and red tape is simply slow down and make it more expensive. For one thing, each one of these universities and each one of these organizations has to go through an annual audit—at least one. The agency within the Department of Defense responsible for those audits is currently overwhelmed, before this new McCain requirement comes in for even more audits.

So it means the process slows down. Research does not take place in a matter of months; it might be years. Do you want to wait for years in some of these instances? I don't. I want timely research to come up with answers to questions that can spare people suffering and families as well as to the Department of Defense. When I go through the long list of things that have been done through these defense research programs, it is amazing how many times they have stepped up and made a serious difference.

Let me give you one other illustration. The incidence of blast injuries to the eye has risen dramatically among servicemen of Iraq and Afghanistan due to explosive weapons such as IEDs. Current protective eye equipment—glasses, goggles, and face shields—are designed to protect mainly against high-velocity projectiles, not blast waves from IEDs.

In Iraq and Afghanistan, upward of 13 percent of all injuries were traumatic eye injuries, totaling more than 197,000. One published study covering 2000 to 2010 estimated that deployment-related eye injuries and blindness have cost a total of more than $2 billion. Eye-injured servicemen have only a 20-percent return-to-duty rate compared to an 80-percent rate for other battle trauma.

Since 2009, $49 million in this Department of Defense medical research program has gone to research for the prevention and treatment of eye injury and disease that result in eye degeneration and impairment or loss of vision. From the Afghanistan and Iraq conflicts, a published study covering 2000 to 2010 estimated that these injuries have cost a total of $25 billion. Eye-injured soldiers have only 20-percent return-to-duty rates.

Research at Johns Hopkins, where they research injuries to the eye, concluded that if only 1 percent of eye injuries make up such a high percentage of combat casualty, found that the blast wave causes eye tissue to tear, and protections like goggles can actually trap blast reverberations. University of Iowa researchers developed a handheld device to analyze the pupil's reaction to light as a quick test for eye damage.

So you look at it and say: Well, why would we do vision research at the Department of Defense? That is the answer. What our men and women in uniform are facing with these IEDs and the blast reverberations—damage to their eyesight and even blindness—wasn't being protected with current equipment. Is this worth an investment by the U.S. Government of less than two-tenths of 1 percent of the Department of Defense budget? I think it is. I think it is critically important that we stand behind this kind of research and not second guess people who are involved.

We are not wasting money in this research; we are investing money in research to protect the men and women in uniform and make sure their lives are whole and make sure they are willing and able to defend this country when called upon.

This idea of Chairman McCain—of eliminating this program with new bureaucracy and red tape—will severely restrict the scope of DOD research and undermine critical research efforts on everything from breast cancer, to MS, to lung cancer, and much more.

If you are serving your country and have a child struggling with autism or if you are a veteran with severe hearing loss or if you are one of the many patients across the country waiting and hoping for a treatment or cure that hasn't been discovered yet, I am sure you would want to know that your government is doing everything it can to support research that could make all the difference.

I am proud to be supporting the amendments that we are discussing today, which would ensure that groundbreaking, and in some cases lifesaving, medical research at the Department of Defense can continue, and I urge all of my colleagues to join us. Thank you.

Mr. LEAHY. Mr. President, in this promising time, there are no resources too great to contribute to
groundbreaking medical research. Key discoveries, new technologies and techniques, and tremendous leaps in our knowledge and understanding about disease and human health are being made every day.

Biomedical research conducted by the Defense Department has been a critical tool in combating rare diseases here in the United States and across the world. Since 1992, the Department of Defense’s Congressionally Directed Medical Research Program, CDMRP, has invested billions of dollars in lifesaving research to support our servicemembers and their families, veterans, and all Americans. I am proud to have been involved with starting this program, and I have fought year in and the year out to support it. As the Senate continues to debate this year’s National Defense Authorization Act, NDAA, I am concerned that the Senate’s bill includes two harmful provisions that would undermine medical research at the CDMRP and other cancer path-finding programs. For more than two decades, this valuable medical research program has invested over $11 billion in the health of our servicemembers and their families and developed techniques to combat various cancers and the many rare and debilitating diseases faced by so many Americans.

I was proud to be there from the start of the CDMRP. Those efforts evolved from linking a bill I coauthored in 1992 to create an extended network of cancer registries to assist researchers in understanding breast cancer, with an effort led by former Iowa Senator Tom Harkin, myself, and several others, to redirect military funds to breast cancer research. With the help of the late Pat Barr of the Breast Cancer Network of Vermont and the many others who were the driving force behind national breast cancer networks, the CDMRP received its first appropriations of $210 million in the 1993 defense budget. Since then, the program has invested $3 billion in breast cancer research, leading to exponential nationwide reductions in the incidence of the disease. It was due to these investments that Pat Barr herself was able to enjoy an active and fulfilling life for decades after her own diagnosis and was able to spend so many years fiercely fighting for the research that has touched, improved or saved millions of lives.

The structure of the CDMRP has always advanced biomedical research for servicemembers and their families, as well as the public at large. It is short-sighted and frustrating that two needless provisions have been dropped into this year’s NDAA, which would bar the Department of Defense from researching the medical needs of military families and veterans and require grant application system acquisition rules instead of the carefully peer-reviewed applications process from which all good science grows.

To redefine the definition of who can benefit from lifesaving treatment and research to cancer and other diseases is misguided and counterproductive. If we are to advance medicine in one population, these tools should be made available to everyone. If we change the scope of these long-fought efforts, we deny researchers the knowledge they need to carry out science that saves lives. It hinders medical progress for our children and grandchildren.

Whereas proponents of these provisions claim they will bring cost savings in the long term, we all know this is simply not true. Disease does not discriminate between servicemember, family member, veteran, or civilian. When it reaches the research, we shouldn’t either. That is why I am proud to support the bipartisan Durbin amendment to strike these unnecessary and hindering provisions from the bill, which would needlessly block access to innovative discoveries in these burgeoning fields of medicine.

Biomedical research is a proven tool that brings us closer every day to finding cures and expanding treatments for debilitating conditions across the world. In support of this research, we support the bipartisan Durbin amendment to strike these unnecessary and hindering provisions from the bill, which would needlessly block access to innovative discoveries in these burgeoning fields of medicine.

Biomedical research is a proven tool that brings us closer every day to finding cures and expanding treatments for debilitating conditions across the world. We cannot allow this year’s defense authorization bill to deny researchers the knowledge they need to carry out science that saves lives. It hinders medical progress for our children and grandchildren.

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Biomedical research is a proven tool that brings us closer every day to finding cures and expanding treatments for debilitating conditions across the world. When it comes to medical research, we must keep it strong for generations to come.

This is business as usual, even if it is just $900 million, which is still a lot of money. I think it is time to look at the way we fund the Defense Department and how it runs. It is time for a new way to do business. It is not that we are against medical research in the Department of Defense’s budget; we just want it to be related to defense. I know that is a novel idea, but it makes sense to me.

All of the things that Senator Durbin identified as being done in the Department of Defense—I am sure most of them are very worthy. Let’s just make sure they are funded outside of the Department of Defense because the money is being taken away from the Department of Defense to do research is probably not a smart thing to do now if it is not related to defending the Nation. Taking money out of the Defense Department to do research is probably not a smart thing to do now if it is not related to defending the Nation. Taking money out of the Defense Department to do research is probably not a smart thing to do now if it is not related to defending the Nation. So this is business as usual, even if it is just $900 million, which is still a lot of money. I think it is time to look at the way we fund the Defense Department and how it runs. It is time for a new way to do business. It is not that we are against medical research in the Department of Defense’s budget; we just want it to be related to defense. I know that is a novel idea, but it makes sense to me.

Here is the point: If you apply the test that it has got to be related to defending the Nation in a fairly liberal interpretation, probably two-thirds or three-fourths of this research would not pass that test. So that means there is going to be $600 million or $700 million—maybe more—that will go to non-defense needs, not research needs.

That doesn’t mean that we don’t need to spend the money on research. Most of it we probably do. The person delivering this speech is also the co-chairman of the NIH, which is the part...
of the government that does medical research. I want to increase that budget tremendously because the dividends to the taxpayers and to our overall health are real. I just don’t want to continue to use the Defense Department as a way to do research unrelated to the defense needs of this country because I don’t think that is the right way to do it.

When you are this far in debt and the military is under this much pressure, it is time for change. That is all this is—making sense; changing the way we practice that started at $20 million and is now almost $1 billion.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, how much time do we have remaining?

The PRESIDING OFFICER. Almost 16 minutes.

Mr. DURBIN. Mr. President, let me respond to my friend from South Carolina. I bring evidence of ministerial research in this program that relate directly to members of the military and their families and to veterans. All I hear back in return is: Well, we ought to be doing this research someplace else. Why? Don’t we want the research to be done by the Department that has a special responsibility to the men and women in uniform and their families as well as veterans?

Let me give you another example that I think really helps to make this story crystal clear that is jeopardized by the McCain language in this authorization bill. Joan Gray graduated from West Point in the first class that included women. She was commissioned in the U.S. Army as a platoon leader, commander, staff officer. After 5 years of service, she sustained a spinal cord injury in a midair collision during a nighttime tactical parachute jump. Joan Gray’s wounds required 12 vertebral fusions. She is now an ambulatory paraplegic and a member of the Paralyzed Veterans of America.

Spinal injuries sustained from trauma impact servicemembers deployed overseas and in training. Over 5 percent of combat evacuations in Iraq and Afghanistan were for spinal trauma. Spinal cord injuries require specialized care and support for acute injury, disability adjustment, pain management, quality of life. Since 2009, Congress has appropriated in this manner which is going to be eliminated by this amendment—over $157 million to research the entire continuum of prehospital care, treatment, and rehab needs for spinal cord injury. The amount and extent of bleeding within the spinal cord can predict how well an individual will recover from a spinal cord injury.

Researchers at Ohio State University and the University of Maryland at Baltimore examined why some injuries cause more or less bleeding. They studied early markers of injury and found an FDA-approved diabetes drug that proved to reduce lesion size and injury duration in spinal cord injuries. At the University of Pennsylvania, researchers have studied how to facilitate surviving nerve axons to grow across an injury site after spinal cord trauma to improve nerve generation and functionality.

Is this research important? I would say it is. It is certainly important to those who serve us. It is important to their families as well. It should be important to all of us. Why are we cutting corners when it comes to medical research for our military and our veterans? Why is this account, which is less than two-tenths of 1 percent of this total budget, the target they want to cut? Medical research for the military and the veterans—every single grant that is approved has to go through the test of military relevance.

It isn’t a question of dreaming up some disease that might have an application someplace in the world. A panel looks at the research that is requested and asks: Does this have relevance today to our men and women in uniform and veterans? Why is this account, which is less than two-tenths of 1 percent of this total budget, the target they want to cut? Medical research for the military and the veterans—every single grant that is approved has to go through the procurement requirements that we have for the largest defense contractors in America. It is unnecessary, burdensome, and will delay this process and make it more expensive.

I would like to hear from the other side one example of abuse in these research grants that would justify changing the rules that have been in place for 24 years. Come up with that example. You are going to be hard-pressed to find it. After more than 2,000 of these grants a year for years—it has gone on for 24 years—I am waiting for the first example.

What I think is really at stake here is an effort to make it more difficult, more cumbersome, and less appealing to the universities to do this kind of research, and we will be the lesser for it.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, how much time is remaining on this side?

The PRESIDING OFFICER. There is 17 minutes remaining.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that I be allowed 9 minutes and that Senator JOHNSON then be allowed 5 minutes.

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

Mr. ALEXANDER. Mr. President, would you tell me how much time has elapsed?

The PRESIDING OFFICER. Yes. The Senator will be notified.

(The remarks of Mr. ALEXANDER and Mr. JOHNSON pertaining to the introduction of S.J. Res. 34 are printed in today’s RECORD under “Statements on Introduced Bills and Joint Resolutions.”)

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, I wish to first inquire how much is remaining on my time.

The PRESIDING OFFICER. There are 11½ minutes remaining.

Mr. REED. Mr. President, I wish to comment on the two pending amendments.

I will begin by thanking my colleague from South Carolina for his thoughtful and kind words about the collaboration we have both witnessed on the committee as we brought this bill to the floor under the leadership of Chairman McCAIN.

AMENDMENT NO. 420

First, with respect to the Inhofe-Mikulski amendment, I share their concerns about the quality of commissaries. It is an essential service for military personnel. It is really in the fabric of military life, being able to go to a commissary. It is an important benefit, particularly for junior members, those who aren’t as well paid as more senior members of the military. It’s both the chairman and my colleagues on the committee—many of them recognize the need to look for alternate approaches for delivering services to military families but doing so in a way that can save resources that could be used for operations and maintenance, for training, equipment—all the critical needs we are seeing much more clearly at this moment.

So we have proposed—and I support the chairman’s proposal—to try a pilot program for commissaries that would be run by commercial entities. I think there is merit to this proposal. I want to emphasize that it is a pilot program. It is not a wholesale replacement of the commissary system. It is designed to test in real time whether a commercial entity can effectively use the resources and the operation of the commissary to better serve military personnel.

We have come a long way from years ago when the commissary was practically the only place a servicemember could get groceries or get the supplies they need for their home. Today, go outside any military base and you will see a Target, a Walmart, and every combination of stores. Frankly, our young soldiers, sailors, marines, and airmen are used to going there. They are used to going to both places looking for bargains. They are used to the service. This is no longer the isolated entity of where literally the only place you could shop was the commissary, and I think we have to recognize that.

The other thing we have to recognize is that there is now an interest by many grocery chains to test this model, to see if, in fact, they can deliver better services to military personnel.
I think that test should be made. That is the essence of the proposal within the Armed Services Committee mark. There is an ongoing study of this by the Department of Defense which I think is helpful. Part of the conclusion is that we cannot conduct it in such a way that we will be able to structure, if it is a valuable enterprise, relationships between commercial entities that not only protect military personnel but enhance their experience at the commissary. That is the goal. It is not just to save dollars—that is important—but also to make sure that their experience in the commissary is both adequate and, in effect, more than adequate.

Mr. President, let me turn to Senator DURBIN. I think Senator DURBIN is very quickly I support this amendment. The reason I do is not only because of the eloquence of the Senator from Illinois about the success of this program. But how we got here, as described by my colleague, to move so fast. It is a combination of history, of rules, of budgeting 20-plus years ago. But in the interim we have been able to create a useful medical research enterprise which has been discovered to be dismembered deliberately, intentionally. That is not the intent of the chair or of any of the supporters of this provision in the bill. In fact, as the chairman said, he would stand up and support reallocating these funds someplace else. My colleague from South Carolina suggested, I believe, NIH. But if we look at how difficult it is to fund the Health and Human Services budget here—and this is what drives it—the reality is if these funds were allocated to this bill they would not reappear, even through the best and sincere efforts of many of my colleagues, elsewhere. We will lose this funding, and we will lose hugely valuable resources.

As we get whole issue with certification by the Secretary of Defense, if we step back, this research has been so effective, and there is a linkage to every military member. It might not be as dramatic as a prosthetic to fix some limb in the limb in combat but certainly their wife, their child—pediatric diseases—may be affected. This research affects every American.

For those reasons, I am going to support Senator DURBIN’s amendment. He has stated the case very well about unintended overhead caused by the certification process and all of the related issues. But I think the essence here is the valuable national resource that through the history and the bureaucratic and congressional procedures and policies has been embedded in the Defense Department. If we do not support Senator DURBIN’s amendment, we will lose that. We won’t be able to use that either in another authorization bill. I just think it is too much to lose.

Mr. President, I yield the floor.

Mr. DURBIN. Mr. President, how much time is remaining on each side?

The PRESIDING OFFICER. The minority has 5 minutes, and the majority has 5 1/2 minutes.

Mr. DURBIN. Mr. President, I thank Senator REED for his comments in support of my amendment. This is about medical research. If you have a passion for the subject, I do. Certainly, I believe most of us do.

There comes a point in your life where you get a diagnosis or news about someone you love, and you pray to goodness, that there has been some research to develop a drug or a procedure or a device which gives them a chance for life.

Do I want to invest more money in medical research so that there are more chances for life? You bet I do. And I believe our highest priority should be the men and women in uniform and their families and our veterans. That is why I will stand here today and defend this Department of Defense medical research program for as long as I have breath in my lungs. I believe it is essential that once we have made the promise to men and women in uniform, we stand by them and we keep our word, and our word means standing by medical research.

Some have made light of issues being investigated under medical research— not anyone on the floor today, but others.

Prostate cancer. What are they doing investigating prostate cancer at the Department of Defense? Servicemembers are twice as likely to develop prostate cancer as those who don’t serve in the military. Why? I don’t know the answer. Is it worth the research to answer that question? And that is what Senator DURBIN and his colleagues are asking for.

Alzheimer’s and Department of Defense medical research. For the men and women who served our country and have experienced a traumatic brain injury, their risk of developing Alzheimer’s disease is much higher. For those suffering from post-traumatic stress disorder, the risk is also higher. So, as to Alzheimer’s research at the Department of Defense, here is the reason.

Lou Gehrig’s disease, or ALS. We sure know that one; don’t we? According to the ALS Association, military veterans are twice as likely to be diagnosed with ALS relative to the general population. Why? Should we ask the question? Do we owe it to the men and women in uniform to ask this question about ALS? We certainly do.

Lung cancer. Of course there is too much smoking in the military and that is one of the reasons, but the incidence is higher.

Gulf war illness. It wasn’t until the Department of Defense initiated its research that we finally linked up why so many gulf war veterans were coming home sick. Now we are treating them, as we should.

There is traumatic brain injury, spinal cord injury, epilepsy, and seizure. The list goes on. To walk away from this research is to walk away from our promise to the men and women in uniform, their families, and our veterans. I am not going to stand for that. I hope the majority of the Senate will support my effort to eliminate this language that has been put into the Department of Defense authorization bill, and say to the chairman, once and for all: Stop this battle against medical research. There are many ways to save money in the Department of Defense. Let’s not do it via the experimental medical research and at the expense of the well-being of the men and women who serve our country.

I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Georgia.

(The remarks of Mr. ISAKSON pertaining to the introduction of S.J. Res. 34 are printed in today’s RECORD under the Statement on Introduced Bills and Joint Resolutions.)

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. GRAHAM. Mr. President, as to the Durbin amendment, I want people to understand what we are trying to do.

There is $900 million spent on medical research in the Department of Defense. All we are asking is that the money being spent be related to the defense needs of this country. Of that $900 million, probably two thirds of the research money will not pass the test of being related to the Department of Defense.

If you care about the men and women in uniform—which we all do—that is probably $600 million or $700 million to help a military that is in decline.

In terms of research dollars, I have worked with Senators DURBIN, ALEXANDER, and BROWN on NIH funding. This idea of taking money out of the Department’s budget to do medical research unrelated to the defense needs of this country needs to stop because the military is under siege. We have the smallest Navy since World War II at the expense of medical research. If we really want to reform the way things are done up here, this is a good start.

To those programs that don’t make the cut in DOD, we will have to find another place. If they make sense, I will help you find another place. To those medical research items that survive the cut, they are going to have to
go through the normal contracting procedure to make sure we are doing it competitively.

I don’t think that is too much to ask. If you want things to change in Washington, somebody has to start the process of change. It is long overdue for us to spend Department of Defense’s budget for things unrelated to the Department of Defense, even though many of them are worthy.

The point we are trying to make is that our military needs every dollar it can get, and we have to look at the way we are doing business anew. That is exactly what this bill does, and Senator DURBIN takes us back to the old way of doing it.

Finally, the whole idea of medical research in the Department of Defense budget started with a $20 million earmark for breast cancer that is now $900 million. Why? Because if you can make it into DOD’s bill, you are going to get your program funded. It is not about medical research, it is about the need of somebody to get the medical research program in the budget of the Department of Defense. It is not a merit-based process. It needs to be.

I yield the floor.

Mr. DURBIN. Mr. President, how much time remains?

The PRESIDING OFFICER. One minute, 45 seconds.

Mr. DURBIN. And on the other side?

The PRESIDING OFFICER. One minute 15 seconds.

Mr. DURBIN. Mr. President, I will conclude.

I would just say to my friend from South Carolina that I have gone through a long list of research projects at the Department of Defense and their medical research program, and each and every one of them I have linked up to medical families and peculiar circumstances affecting our military. That is why I think this Department of Defense medical research is so critical. I have yet to hear the other side say that one of these is wasteful, and they can’t. If our men and women in uniform are suffering from Gulf War illnesses, of course we want the Department of Defense or any other medical research group to try to find out what is the cause of the problem and what we can do about it.

When it comes to the incidents of cancer being higher among veterans, are you worried about that? I sure am. Why would it be? Should we ask that question? Of course we should. And we do that through legitimate medical research.

Here is what the Institute of Medicine said about this medical research program: It “has shown that it has been an efficiently managed and scientifically productive effort and that it is a valuable component of the nation’s health research enterprise.”

This is not wasted money. This is money specifically for the men and women in uniform, their families, and the veterans who served this country. I will stand here and fight for it every minute. To those who say we will strengthen our military if we do less medical research on behalf of the men and women in uniform and veterans, that doesn’t make us a stronger military.

Let us keep our word to the men and women in uniform and to the veterans. We have told them we would stand behind them when they came home, and we have to keep our word.

I ask unanimous consent that a list of 147 organizations that support the DURBIN amendment be printed in the RECORD.

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

GROUPS OPPOSING SECTIONS 758/398 & SUPPORTING DURBIN AMEND #493


This is not wasted money. This is money specifically for the men and women in uniform, their families, and the veterans who served this country. I will stand here and fight for it every minute. To those who say we will strengthen our military if we do less medical research on behalf of the men and women in uniform and veterans, that doesn’t make us a stronger military.

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At the end of subtitle C of title VII, add the following:
The result was announced—yeas 66, nays 28, as follows:

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The amendment (No. 4369) was agreed to.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

VOTE EXPLANATION

- **MR. WARNER.** Mr. President, due to a prior commitment, I regret I was not present to vote on Senate amendment No. 4204 offered by Senator DURBIN. I am a cosponsor of this amendment, and had I been present, I would have voted in support of the amendment. The CDMRP has produced breakthroughs in treatment for a variety of diseases and medical conditions, and it deserves our continued support.

**AMENDMENT NO. 4204**

The **PRESIDING OFFICER.** There will now be 2 minutes of debate, equally divided, in relation to the Inhofe amendment.

Mr. INHOFE. Mr. President, a year ago, when we were considering this same bill, the language of the bill that was presented to us had a pilot program that would temporarily look at privatization of commissaries. We elected not to do that.

We had an amendment at that time with 25 cosponsors, and it was not necessary to actually have a rollcall vote, and it overwhelmingly was passed that we would not do that until we had a study of DOD with an assessment by GAO on privatization. That has not happened yet. The initial report came out of GAO and it is negative on having the privatization language at this point.

I reserve the remainder of my time.

The **PRESIDING OFFICER (Ms. AYOTTE).** The Senator from Rhode Island.

Mr. REED. Madam President, the key aspect of this legislation that was included in the committee mark is that it is a pilot, and I believe, along with the chairman, this is the best way to evaluate the merits or demerits of privatization of commissaries.

It would allow an evaluation that is not theoretical, not a report but an actual company actively engaged in running a facility. The goal is not just to maintain the commissaries, the goal is to enhance the value of service to men and women. I think, along with the chairman, this approach is an appropriate approach and would do just that.

I urge rejection of the Inhofe amendment.

The **PRESIDING OFFICER.** The Senator from Oklahoma has 7 seconds.

Mr. INHOFE. Madam President, we have 40 cosponsors. I advise each Senator to look at the cosponsors before voting on this. However, I would have no objection to a voice vote.

The **PRESIDING OFFICER.** Is there further debate?

The question is on agreeing to the Inhofe amendment No. 4204.

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

The **PRESIDING OFFICER.** Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) and the Senator from Virginia (Mr. WARNER) are necessarily absent.

The **PRESIDING OFFICER.** Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 70, nays 28, as follows:

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The amendment (No. 4204) was agreed to.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

VOTE EXPLANATION

- **MR. WARNER.** Mr. President, due to a prior commitment, I regret I was not present to vote on Senate amendment No. 4204, offered by Senator INHOFE. I am a cosponsor of this amendment, and had I been present, I would have voted in support of the amendment. It would be imprudent for Congress to authorize this privatization, possibly jeopardizing an important benefit for our military men and women, their families, as well as retired servicemembers, before receiving the thorough study on the potential impacts as requested in last year’s National Defense Authorization Act.

The **PRESIDING OFFICER.** The Senator from Arizona.

Mr. MCCAIN. Madam President, it is my understanding that we are trying to set up the amendment and second-degree amendment on the increase of an authorization of $17 billion. It is my understanding there will also be a second-degree amendment.

I just want to say a few words about the amendment which is pending. We
were trying to reach an agreement as to when we will have debate and vote on both the second degree and the amendment itself.

I would point out that the unfunded requirements of the military services total $25 billion for the next fiscal year alone. Senate support for the Administration’s request would turn in 2018, taking away another $100 billion from our military. The amendment would increase defense spending by $18 billion. I would be pleased to go through all of the programs where there is increased spending, but I would point out that those increases were in the 5-year defense plan but were cut because of the authorization of $7 billion—the President’s request of $7 billion from what we had last year.

From a quick glance around the world, I think we can certainly make one understand that the world is not a safer place than it was last year. We are cutting into readiness, maintenance, and kind of problems are beginning to arise in the military.

My friend from Rhode Island and I will be discussing and debating both the second-degree amendment and the amendment, and hopefully we will have votes tomorrow or on Thursday, depending on negotiations between the leaders.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Madam President, I thank and commend the chairman. As he indicated, he has proposed an amendment, and he is also allowing us to prepare a second-degree amendment, which I would like to offer as soon as it is ready and then conduct debate on a very important topic; that is, investing in our national security in the broadest sense and doing it wisely and well. Then, I would hope again—subject to the deliberations of the leaders on both sides—that we could have a vote on the amendment and second-degree amendment tomorrow or the succeeding day.

Again, I thank the chairman for not only bringing this issue to the floor but also for giving us the opportunity to prepare an appropriate amendment.

Thank you.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Madam President, I understand the Senator from Oklahoma and the Senator from New Mexico are interested in getting non-controversial legislation up and completed. I am more than pleased to yield time from our discussion of the Defense authorization bill for the Senator from Oklahoma.

Mr. INHOFE. If the Senator would yield, I would appreciate that very much. We are talking about the TSCA bill, and it is one that is almost a must-pass type of bill. We have support on both sides of the aisle almost total support. If we could have another 10 minutes to talk to a couple of people, I would like to make that motion.

If you could, go ahead and talk about the Defense bill.

Mr. McCAIIN. I thank the Senator from Oklahoma. When he gets ready, we will obviously be ready to yield to the Senator from Oklahoma for consideration of that important legislation.

In the letter of intent, I would like to point out that, as part of this package of $18 billion, it increases the military pay raise to 2.1 percent. The current administration’s budget request sets pay raise at 1.2 percent. It fully funds troops in Afghanistan at 9,800. The budget request of the President funds troop levels at 6,217.

It stops the cuts to end strength and capacity. It restores the end strength for Army, Navy, Marine Corps, and Air Force. For example, it cancels the planned reduction of 15,000 active Army soldiers. If the planned reduction actually was implemented, we would have one of the smallest armies in history, certainly in recent history. It funds the recommendations of the National Commission on the Future of the Army. It includes additional funding for purchasing 36 additional UH-60 Black Hawk helicopters, 5 AH-64 Apaches, and 5 CH-47 Chinook helicopters, and all of those were in keeping with the recommendations of the National Commission on the Future of the Army.

It adds $2.2 billion to readiness to help alleviate the problem of the military services grappling with. Of the $23 billion in unfunded requirements received by the military services, almost $7 billion of it was identified as readiness related.

It addresses the Navy’s ongoing strike fighter shortfall and the U.S. Marine Corps aviation readiness crisis by increasing aircraft procurement. It addresses high priority unfunded requirements for the Navy and Marine Corps, including 14 F/A-18 Super Hornet; 38 F–35 Joint Strike Fighters. It supports the Navy shipbuilding program, and it provides the balance of funding necessary to fully fund the additional fiscal year 2016 DDG–51 Arleigh Burke-class destroyer. It restores the cut of the one littoral combat ship in fiscal year 2017.

It supports the European Reassurance Initiative with the manufacturing and modernization of 14 M1 Abrams tanks and 14 M2 Bradley fighting vehicles.

There is also increased support for Israeli cooperation on air defense programs of some $200 million.

What this is is an effort to make up for the shortfall that would bring us up to last year’s number—last year’s. Again, I want to point out—and we will talk more about it—we have all kinds of initiatives going on. We have an increase in troops’ presence in Iraq and Syria; we are having much more participation in the European reassurance effort and a greater emphasis on our rebalancing in Asia. At the same time, we are cutting defense and making it $17 billion lower than the military needed and planned for last year.

I hope that my colleagues would understand and appreciate the need, particularly when we look at the deep cuts and consequences of reductions in readiness, training, and other. The challenges that face the American military the great organization—superior to all potential adversaries—that it is.

I hope my colleagues will look at what we are proposing for tomorrow. I know the other side will have the second-degree amendment as well. I haven’t seen it, but I would be pleased to give it utmost consideration, depending on its contents.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Madam President, after Memorial Day and a day after the 72nd anniversary of D-day and at a time when we live in a more and more dangerous world with threats from North Korea, China, Russia, and ISIS, it is appropriate that we are on the floor talking about our military, talking about helping our troops, and doing so by strengthening our military.

Mr. McCAIN, Senator McCAIN, the Ranking Member of the committee, just talked about the fact that there is a pay raise here. There is also an assurance to our military that we are not going to have the kind of end strength that puts us in a less effective posture.

I applaud him and I applaud Senator REED for their work on this bill. I intend to support this bill, and I hope we continue to make progress this week on it.

COMPREHENSIVE ADDICTION AND RECOVERY BILL

Madam President, I am up today to talk about something different. It is another fight that we have, and that is with this terrible epidemic of heroin and prescription drugs. We now have a situation where 120 people on average every single day in our community, my home State of Ohio and around the country epidemic levels not just of heroin and prescription drugs but now fentanyl, which is a synthetic form of heroin. It is affecting every community and every State.

This is the eighth time I have come on the floor to talk about this issue since the Senate passed their legislation on March 10—every week we have been in session since then. Initially, I came to encourage the House to act and urge them to move on it. They did that a couple weeks ago. Now I am urging the House and the Senate to come together because we have some differences in our two approaches to this, but for the most part we have commonality. There is common ground on how to deal with this issue: more prevention and education, better treatment and recovery, helping our law enforcement to be able to deal with it.

My message is very simple. We know what is in the Senate bill. We are starting to work together to find a way to come together. That is good. We need...
troopers in Ohio will soon be carrying naloxone with them, which is a miracle drug that can actually reverse the effects of an overdose. Our legislation provides more training for naloxone, also called Narcan. It also provides for increased resources for law enforcement. It is one reason the Fraternal Order of Police has been very supportive of our legislation and provided us valuable input as we were crafting it. In Ohio, last year alone, first responders administered Narcan in 16,000 times, saving thousands of lives.

Our Governor, John Kasich, is conducting an awareness campaign in Ohio called “Start Talking." The National Guard is helping out. They are conducting 113 events across Ohio, reaching more than 30,000 high school students to talk about drugs and opioid addiction. I am told 65 National Guard members have partnered with 28 law enforcement agencies on counterdrug efforts. They have helped confiscate $6 million in drugs already, including 235 pounds of heroin, 20 pounds of fentanyl, and 25 pounds of opiate pills.

CARA would create a national awareness campaign—党和政府 think this is incredibly important—incorporating this connection between prescription drugs, narcotic pain pills, and heroin. Four out of five heroin addicts in Ohio started with prescription drugs. This is not included in the House-passed legislation, as one example of something we want to add, but I think it is critical we include it in the final bill we ultimately send to the President’s desk and ultimately out to our community so this message can begin to resonate to let people know they should not be getting into this addiction—this funnel of addiction—that is so difficult.

We are taking action in Ohio, but back in Ohio they want the Federal Government to be a better partner, and we can take these local initiatives and have the Federal Government help. I tell you this morning that it is critical that we move forward with the legislation. So do 160 of the national groups—everybody who has worked with us over the years to come up with this nonpartisan approach. It is based on what works. It is based on actual evidence and the things that work, the recovery programs that work, the prevention that works.

In Cleveland, OH, it is not hard to see why. One hundred forty people have died of fentanyl overdoses so far this year—record levels. Fentanyl is even more potent than heroin. Depending on the concentration, it can be 50 or more times more powerful than heroin. Forty-four people died of opioid overdoses in Cleveland in just the month of May. Fourteen in 1 month, just 1 city. That includes one 6-day span when 13 people died of overdoses: 18 of those 44 lived in the city of Cleveland, 26 lived in the suburb. This knows no ZIP Code. It is not isolated to one area. It is not isolated to rural or suburban or inner city. It is everywhere. No one is immune, and no one is unaffected by this epidemic.

People across the country are talking about this more in the couple weeks. One reason we are talking about it is because of the premature death of Prince, a world-renowned recording artist whose 58th birthday would have been celebrated yesterday. The autopsy of Prince, we now know he died of a fentanyl overdose.

Fentanyl is driving more of this epidemic every day. As I said, in 2013, there were 84 fentanyl overdose deaths in Ohio. The next year it was 353. Sadly, this year it is going to be more than that. The new information about the overdose that took Prince’s life has surprised some. After all, Prince had it all: success, fame, talent, and fortune. He was an amazing talent musician, but as Paul Wax, the executive director of the American College of Medical Toxicology, put it, “This epidemic spares no one. It affects the wealthy, the poor, the prominent, and the not prominent.” He is exactly right. This epidemic knows no limits.

In a way, as this becomes known, it may help get rid of the stigma attached to addiction that is keeping so many people from coming forward and getting the treatment they need as people understand it is everywhere. It affects our neighbors and friends regardless of our station in life or where we live. It happens to everyone.

It happens to teenagers who just had their wisdom teeth taken out. It happens to the homeless, and it happens to the rich and famous.

Prince is hardly the first celebrity case of opioid addiction. Celebrities like Chevy Chase and Jamie Lee Curtis have been brave enough to open up and talk about their struggles, and I commend them for that. The former Cleveland Browns wide receiver, Josh Cribbs, recently told ESPN:

I grew up in the football atmosphere, and to me it’s just part of the game. Unfortunately, it’s ingrained within the players to have to deal with this, to be okay with it, as if that’s part of it. After the game, you are popping pills to get back to normal, to feel normal. The pills are second nature to us. They’re given to us just to get through the day. The pills are part of the game.

I am hopeful that if any good can come out of tragedies like Prince’s premature death, it can be that we raise awareness about this epidemic and prevent new addictions from starting. Prevention is ultimately going to be the best way to turn the tide.

The House-passed legislation does not include CARA’s expanded prevention grants, which address local drug crises and are focused on our young people, but I am hopeful again that ultimately that will be included in the bill we send to the President’s desk and to our communities.

The scope of this epidemic can feel overwhelming at times, but there is hope. Prevention can work, treatment can work, and it does work.
Mr. PAUL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded. The PRESIDING OFFICER. Without objection, it is so ordered.

FEDERAL CHEMICAL REGULATION LEGISLATION

Mr. PAUL. Madam President, Milton Friedman once said that if you give the Federal Government control of the Sahara Desert, within 5 years there will be a shortage of sand. I tend to agree, and it worries me anytime a consensus builds to federalize anything.

I have spent the last week reading this bill, sweeping Federal takeover of chemical regulations, and I am now more worried than I was before I read the bill. Most of all, beyond the specifics, is the creeping infestation of the business community with the idea that the argument is no longer about minimizing regulations but about making regulations regular. Businesses seem to just want uniformity of regulation as opposed to minimization of regulation.

A good analogy is that of how businesses respond to malingerers who fake slip-and-fall injuries. Some businesses choose to limit expenses by just paying out small amounts, but some brave businesses choose to legally defend themselves against all nuisance claims. Federalizing the chemical regulations is like settling with the slip-and-fall malingerers and hoping he or she will keep their extortion at a reasonable level.

In the process, though, we have abandoned the principle. We will have given up the State laboratories where economic success and regulatory restraint are aligned. It is no accident that regulatory restraint occurs in States that host chemical companies and ensures that State legislatures will be well aware that the economic impact of overbearing regulation will be felt in their State. As a consequence, there is a back-and-forth and consideration both of the environment and health of the economy.

Federalization of regulations separates the people who benefit from a successful chemical industry from the unrelenting bureaucrats who will write the regulations. Once you sever the ties, once there is no incentive, once nobody cares about the jobs anymore, the tendency is to regulate and to overregulate. Once that tie is severed, the joint incentive to minimize regulation is lost. The legislation explicitly bans the consideration of a regulation’s economic cost when deciding whether chemicals will be put into a high-risk category. Once a chemical has been labeled “high risk,” the legal liability and stigma that will attach will far outweigh any cost-benefit trade-off. That may be okay with respect to the environment but it will not be okay with respect to the economy ever being considered. Regardless of what the final regulations actually say, the subsequent public reaction and lawsuits will have the effect of driving the economic success and regulatory restraint out of the economic system.

What is killed is never killed completely. I always thought we needed more balanced, reasonable regulations that were not passed by Congress; these job-killing regulations are monsters that emerged from the toxic swamp of Big Government bureaucrats at the EPA. The Obama-Clinton War on Coal largely came from regulations that were extensions of seemingly bland, well-intended laws in the early 1970s, laws like the Clean Water Act that were well-intended, legislating that you can’t discharge pollutants into a navigable stream. I am for that, but somehow the bureaucrats got hold of it and decided that dirt was a pollutant and your backyard might have a nexus to a puddle that has a nexus to a ditch that was frequented by a migratory bird that once flew from the Great Lakes, so your backyard is the same as the Great Lakes now. It has become obscene and absurd, but it was all from well-intentioned, reasonable regulations that have gotten out of control. Now the EPA can jail you for putting dirt on your own land. Robert Lucas was given 10 years in prison for putting dirt on his own land.

Now, since that craziness has infected the EPA, we now have the Feds...
asserting regulatory control over the majority of the land in the States.

Will the Federal takeover of the chemical regulations eventually morph into a war on chemical companies, similar to what happened to the coal industry? Unfortunately, it concerns me enough to examine the bill closely.

Anytime we are told that everyone is for something, anytime we are told that we should stand aside and not challenge the status quo, I become suspicious. It is precisely the time when someone tries to look very closely at what is happening.

I also worry about Federal laws that preempt State laws. Admittedly, sometimes States, such as California, go overboard and they regulate businesses out of existence or at least chase them to another State. However, California’s excess is Texas’s benefit.

I grew up along the Texas coast. Many of my family members work in the industry. Texas has become a haven because of its location and its reasonable regulations.

Because Texas and Louisiana have such a mutually beneficial relationship with the chemical industry, it is hard to imagine a time when the Texas or the Louisiana legislature would want to overregulate or to ignore the cost of new regulations. It is not in their best interest. It is much easier to imagine a time when 47 other States gang up on Texas, Louisiana, and Oklahoma to reap their greater regulatory regime to the point at which it chokes and suffocates businesses and their jobs. Think it can’t happen? Come and visit me in Kentucky. Come and see the devastation. Come and see the unemployment that has come from EPA’s overzealous regulation.

How can it be that the very businesses that face this threat support this bill, support the federalization of regulation? I am sure they are sincere. They want uniformity and predictability—admirable desires. They don’t want the national standard of regulations to devolve to the worst standard of regulations. California regulators—yes, I am talking about you. Yet the bill before us grandfathers in California’s overbearing regulations. It only prevents them from getting worse.

But everyone must realize that this bill also preempts friendly States, such as Texas and Louisiana, from continuing their reasonable regulations gradually or quickly grow. Texas and Louisiana will no longer be able to veto the excesses of Washington. Regulations that would never pass the Texas or Louisiana State Legislature will see limited opposition in Washington. Don’t blame me? Come and see me in Kentucky and see the devastation the EPA has wrought in my State.

So why in the world would businesses come to Washington and want to be regulated? No one perplexes me more or makes me madder than when businesses come to Washington to lobby for regulations. Unfortunately, it is becoming the norm, not the exception. Lately, the call to federalize regulations has become a cottage industry for companies to come to Washington and beg for Federal regulations to supersede troublesome State regulations. It seems like every day businesses come to me to fight abhorrent regulatory abuse, and then they come back later in the day and say: Oh, and by the way, can you vote for Federal regulations on my business because the State regulations are killing me? But then a week later they look back—the same businesses—and they complain that the regulatory agencies are ratcheting up the regulations.

Food distributors clamor for Federal regulations on labeling. Restaurants advocate for national menu standards. Now that we have Federal standards, lo and behold, we also have Federal menu crimes. You can be imprisoned in America for posting the wrong calorie count on your menu. I am not making this up. You can be in prison for putting down the wrong calorie count. We have to be wary of giving more power to the Federal legislature.

With this bill, chemical companies lobby for Federal regulations to preempt State law. None of them seem concerned that the Federal regulations will preempt not only aggressive regulatory States, such as California, but also market-oriented States, friendly States, such as Texas and Louisiana. Once again, the Federal regulations may initially preempt overly zealous regulatory States, but when the Federal regulations evolve into a more onerous standard, which they always have, there will no longer be any State laboratories left to exercise freedom. Texas and Louisiana will no longer be free to host chemical companies as the Federal agencies ratchet higher.

Proponents of the bill will say: Well, Texas and Louisiana can opt out; there is a waiver. Guess who has to approve the waiver. The head of the EPA. Anyone who knows of a recent head of the EPA friendly to business who will give them a waiver on a Federal regulation? It won’t work.

The pro-regulation business community argues that they are being overwhelmed by State regulations, and I don’t disagree. But what can be done about short of federalizing regulations? What about businesses that have the costly regulations? In Vermont, they have mandated GMO labeling, which will cost a fortune. Either quit selling to them or jack up the price to make them pay for the labeling. Do you think the Socialists in Vermont might reconsider their laws if they have to pay $2 more for a Coke or for a Pepsi to pay for the absurd labeling?

What could chemical companies do to fight Federal, not regulatory, States? What if they already comply to friendly States. If California inappropriately regulates your chemicals, charge them more and by all means, move. Get the check out of California. Come to Kentucky. We would love to have your business.

What these businesses that favor federalization of regulation fail to understand is that the history of Federal chemical regulations is a dismal one. Well-intended, limited regulations morph into ill-willed, expansive, and intrusive regulations. What these businesses fail to grasp is that while States like California and Vermont demand expensive regulations, other States, like Texas, Tennessee, and Kentucky, are relative haves for business. When businesses plead for Federal regulations to supersede ill-conceived regulations in California and Vermont, they fail to understand that once regulations are centralized, the history of regulations in Washington is only to grow. Just witness regulations in banking and health care. Does anyone remember ever seeing a limited, reasonable Federal standard that stayed limited and reasonable?

It is not new in Washington for businesses to lobby to be regulated. Some hospitals advocated for ObamaCare and now complain that it is bankrupting them. Some small banks advocated for Dodd-Frank regulations, and now they complain the regulators are assuaging them as well.

The bill before us gives the Administrator of the EPA the power to decide at a later date how to and what extent he or she will regulate the chemical industry. In fact, more than 100 times the bill leaves discretionary authority to the EPA to make decisions on creating new rules; 100 times it says the Administrator of the EPA shall at a later date decide how to regulate. That is a blank check to the EPA. It is a mistake.

Does anyone want to hazard a guess as to how many pages of regulations will come from this bill? The current Code of Federal Regulations is 237 volumes and more than 178,000 pages. If ObamaCare is any indication, we will be at least 20 pages of regulations for every page of legislation. Using the ObamaCare standard, this bill will give us nearly 2,000 pages of regulations. ObamaCare was about 1,000 pages. The regulations from ObamaCare have morphed into nearly 20,000 pages. It is not hard to see how this bill, which requires review of more than 85,000 chemicals now on the market, could quickly eclipse that lofty total.

No one disputes that this bill will increase the power of the EPA. This is an important point. No one disputes that this bill increases the power of the EPA. No one disputes that this bill transfers power from the States to the Federal Government. The National Journal recognizes and describes this bill as granting extensive new authority to the EPA. If you don’t think that is a problem, come to Kentucky and meet the 16,000 people in my State who have lost their jobs because of the overregulatory nature of the EPA. Ask them what they think of Hillary Clinton’s plan to continue putting coal
miners out of business in my State. Ask them what they think of granting extensive new authority to the EPA. Look these coal miners in the face and tell them to trust you and that your bill will not increase EPA’s power. Tell them you care.

Is there anything in the recent history of regulatory onslaught that indicates a reasonable Federal standard will remain reasonable? When starting out, everybody says that they are going to prevent these terrible States like California. It is going to preempt California and Vermont and all of these terrible liberal States, and it will be a low level. Business was involved so business has made it a low and easy standard for chemicals. It will be ratcheted up because regulations never get better; they always get worse.

I rise today to oppose granting new power to the EPA. I wish we were here today to do the opposite—to vote to restore EPA and make sure that they balance regulations and jobs. I wish we were here today to vote for the REINS Act that requires new regulations to be voted on by Congress before they become enforceable. Instead, this legislation will inevitably add hundreds of new regulations.

I rise today to oppose this bill because it preempts the Constitution’s intentions for the Federal Government. I rise today to oppose this bill because the recent history of the EPA is one that has shown no balance, no quarter, and no concern for thousands of Kentuckians they have put out of work.

I rise today to oppose this bill because I can’t in good conscience, as a Kentuckian, vote to make the Federal EPA stronger.

I thank the Presiding Officer, and I yield my time.

The PRESIDING OFFICER (Mr. GARDNER). The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I am prepared to make a unanimous consent request to have the wording yet, but I will momentarily, so I will not take the floor at this time.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. COONS. Mr. President, if I might make an inquiry about the order. Senator WHITEHOUSE and I were about to engage in a colloquy.

The PRESIDING OFFICER. The Senator from Delaware is recognized.

Mr. COONS. Mr. President, I ask unanimous consent to engage in a colloquy with Senator WHITEHOUSE of Rhode Island for up to 20 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

CLIMATE CHANGE

Mr. COONS. Mr. President, I am so pleased to join my colleague, the Senator from Rhode Island, to discuss one of the most important issues facing future generations in our world, which is climate change, an issue that also directly affects both of our coastal and low-lying States.

Many may know Delaware’s status as the first State to ratify the Constitution, but I think few of my colleagues are aware that Delaware is also our country’s lowest lying State. We have the lowest mean elevation. This status comes with certain challenges, especially with nearly 400 miles of exposed shoreline. That means no part of our State is more than 30 miles from the coast, so the good news is that no matter where you live in my home State, it takes less than 30 minutes to get to sun and sand. But the challenge is that we are particularly vulnerable to the increasing effects of climate change.

In recent years, we have seen how flooding can devastate homes and communities up and down our State. Low-lying neighborhoods often don’t have the resources to cope with steadily increasing flooding. A community such as Southbridge in Wilmington—pictured to my right—has been disproportionately affected.

Environmental justice has long been a concern of mine and of Senator WHITEHOUSE. We had the opportunity to visit the neighborhood of Southbridge. Southbridge is significantly flooded every time it rains more than an inch or two. With increased sea level rise, the steady sinking of the land, and with sea level rise acting in combination in my State, we will simply see more and more challenges from severe flooding due to sea level rise around the globe and in my home State.

It is not just houses and neighborhoods that are threatened by sea level rise; it also affects businesses and entire industries. There is a broad range of long-established industries and businesses in my State that are placed in coastal areas because of the history of our settlement and development. Somewhere between 15 and 25 percent of all the land used for heavy industry in my State will likely be inundated by sea level rise by the end of the century, and that doesn’t even include all of the other productive land use for agriculture and tourism that contribute to jobs and revenue in my home State.

Despite our small size and our significant exposure, we also punch above our weight when it comes to tackling the challenges of climate change. In places like Southbridge, our communities have come together at the State and local level to find creative solutions to the flooding that is increasingly caused by climate change.

This image demonstrates a plan that has been developed for the South Wilmington wetlands project. Senator WHITEHOUSE may describe his visit to the State of Delaware in more detail, but I wanted to open simply by describing this community response to the flooding that we saw in the previous slide. We have come together as a community to plan a cleanup of a brownfield area to create a safe and attractive natural park that will also improve water quality and drainage in a way that also creates new ecosystems, new opportunities for recreation, and a new future for a community long blighted and often under water.

That is not the only example of the many actions that have been taken by my home State of Delaware. Delaware has participated in the GHG and the Regional Greenhouse Gas Initiative, a collection of nine mid-Atlantic and northeastern States, including Rhode Island, that have joined together to implement market-based policies to reduce emissions.

Since 2009, the participating States have reduced their greenhouse gas emissions by 20 percent while also experiencing stronger economic growth in the rest of the country, which I view as proof that fighting climate change and strengthening our economy are not mutually exclusive exchangeable goals.

In fact, over the past 6 years, Delaware has reduced its greenhouse gas emissions more than any State in the entire United States. We have done this by growing our solar capacity, 6,000 percent through multiple utility-scale projects and distributed solar. We have also done our best to adapt to climate change through community and State-led planning. Our Governor Jack Markell and former Secretary Collin O’Mara led a fantastic bottom-up, State-wide level planning effort to address the impacts of climate change on water, agriculture, ecosystems, infrastructure, and public health. In December of 2014, they released their climate framework for Delaware—an impressive statewide effort to be prepared for what is coming before it is too late.

I believe Delaware is an example of how communities that are most vulnerable to climate change can work together across public and private sectors to meet the challenges of climate change head-on. That is why I invited my friend and colleague Senator WHITEHOUSE to speak. He is a true leader in the work to address climate change, not only in his home State of Rhode Island but across our country, and he has paid a visit to my State.

Every week, Senator WHITEHOUSE gives a speech on a different aspect of climate change, and I was proud to participate today in his weekly speech on the topic and thrilled to welcome him to my home State in May as part of his ongoing effort.

Therefore I yield the floor to Senator WHITEHOUSE. I just want to talk about one other stop on our statewide tour—a stop in Prime Hook, one of Delaware’s two national wildlife refuges. The beach in Prime Hook over the last 60 years has receded more than 500 feet. Over the last decade storms have broken through the dune line several times, flooding 4,000 acres of previously freshwater marsh.

When Hurricane Sandy hit this already fragile shoreline, leaving this barrier island battered, as we can see here, it broke through completely and permanently flooded and destroyed the freshwater marsh. The storm deepened
and widened the beach from 300 feet to about 1,500 feet and exacerbated routine flooding on local roads used by the community to access the beach.

For a delicate ecosystem like this wildlife refuge, this type of severe weather and flooding can be devastating. Over the last 3 years, the U.S. Fish and Wildlife Service has worked in tandem with other Federal agencies, State partners, and NGOs to restore this highly damaged fragile ecosystem and its defenses.

It is a long story, but you can see the punch line here. As of 2016, construction of a newly designed, resloped, redeveloped barrier has been completed. Senator WHITEHOUSE has also had the opportunity to visit this area. The finished project will be a saltwater marsh that I am confident will contribute significantly to a durable, resilient, and long-term ecosystem.

This is just one example of the creative things we are doing in Delaware to address the impacts of climate change and sea level rise. In some ways I think the most important and exciting was the last stop in our statewide visit.

With that I will turn it over to Senator WHITEHOUSE to discuss in more detail his visit to Delaware and our last visit to the southernmost part of my home state.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I am really grateful to the junior Senator from Delaware for inviting me to his home State and for joining me here today for my “Time to Wake Up” speech No. 139.

Senator COONS and I spent a terrific day touring the Delaware shore. You can say whatever you want about us, but on that day we were the two wettest Members of the U.S. Senate. I can assure you of that.

This is Capitol Hill Ocean Week, and Wednesday is World Oceans Day, so it is a good day to consider the effects of global climate change in our oceans. The oceans have absorbed one-third of all carbon dioxide produced since the industrial revolution and over 90 percent of the excess heat that has resulted. That means that by laws of both physics and chemistry, the oceans are warming, rising, and acidifying.

Rhode Island is the Ocean State, but give Delaware credit. From the last report generated around 22 million and over 23,000 jobs from the ocean based in tourism, recreation, shipping, and fishing. Like Rhode Island, Delaware sees its sea level rise at a rate of 3½ millimeters per year along the Delaware shore, 13 inches up over the last 200 years, and its beaches care about this issue. Over a quarter have reported personally experiencing the effects of sea level rise, two-thirds worry about the effects of sea level rise, and over 75 percent called on the State to take immediate action to combat climate change and sea level rise.

I did enjoy our visit in South Wilmington, and I enjoyed the visit to Port Mahon, where the roads had to be built up with riffraff to protect against sea level rise. But the real prize and the prime reason I went was Port Mahon’s avian connection. Among the sandpipers, rusty turnstones, and gulls we saw on the shore was a bird called the rufa red knot. These knots can be seen from other shore birds on the beach not only for their colorful burnt orange plumage but also for the amazing story that accompanies their arrival in Delaware each spring. This is a story to love, and you would have to say a bird to admire.

They have only about a 20-inch wingspan at full growth, and the body is only about the size of a teacup, but each spring these red knots undertake an epic 9,000-plus mile voyage from Tierra del Fuego on the southern tip of South America up to the Canadian Arctic. After spending the summer nesting in the Arctic, they make the return trip south to winter in the Southern Hemisphere. The little bird has one of the longest animal migrations of any species on Earth.

How does Delaware come into this? Well, the red knots fly straight from Brazil to Delaware Bay. As you can imagine, they are often hungry. They have lost as much as half their weight. We were told they start to ingest their own organs toward the end.

Delaware Bay is the largest horseshoe crab spawning area in the world. Each May, horseshoe crabs lay millions of eggs. Nearly 2 million horseshoe crab eggs were counted in Delaware Bay in 2015, and a female can lay up to 90,000 eggs per spawning season. Do the math. That is a lot of eggs.

The red knots come here timed just so by mother nature to bulk up on the nutritious horseshoe crab eggs to replenish their wasted bodies from the long flight to Delaware Bay and to fuel up for the 2,000 further miles of journey to the Canadian Arctic.

I wanted to see this before it ends. The U.S. Fish and Wildlife Service has listed the red knot as threatened under the Endangered Species Act because “successful annual migration and breeding of red knots is highly dependent on the timing of departures and arrivals to coincide with favorable food and weather conditions in the spring and fall migratory stopover areas and on the Arctic breeding grounds.”

Climate change is altering that timing.

We are already seeing that in a different subspecies of red knots that migrate north along the West African coast. A study published in the journal Science last month found that the earlier melt of Arctic snow is accelerating the timeline for the hatching of insects in spring, leading to smaller birds. The chicks, being less strong, begin to weaken and can’t feed as successfully, and it cascades through an array of further detrimental effects.

You actually have to love this unsung and astounding little bird, but its survival relies on a cascade of nature’s events to line up just right. Nature throws a long bomb from Tierra del Fuego, where these birds start, and off they go. Months later they arrive in Delaware Bay timed to this 450 million-year-old creature, the horseshoe crab, emerging from Delaware Bay to spawn.

I have been called on the State to take immediate action to combat climate change and sea level rise. But the real prize and the red knot could pay a sad price.

Some people may sneer and say: There he goes again. Now he is on the Senate floor talking about some stupid bird. But I say this: When one sees the voyage that this bird has to make, a little shore bird used to run along the shore making this epic voyage every year—one of them has been measured, because of a tag on its ankle, to have flown the distance from here to the moon and halfway back in its lifetime—if one can’t see the hand of God in that creature, I weep for their soul.

So I thank my colleague from Delaware for his staff and the experts he brought along to help us learn about this. Like Rhode Island, Delaware has been proactive in planning for the risks that we face in a warmer and wetter future.

I yield the floor to the distinguished junior Senator from Delaware.

Mr. COONS. We were, indeed, the two wettest Senators in the entire country by the end of a very wet Wednesday is World Oceans Day, so it is a good day to consider the effects of global climate change in our oceans. The oceans have absorbed one-third of all carbon dioxide produced since the industrial revolution and over 90 percent of the excess heat that has resulted. That means that by laws of both physics and chemistry, the oceans are warming, rising, and acidifying.

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Mr. COONS. We were, indeed, the two wettest Senators in the entire country by the end of a very wet
June 7, 2016

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and very fulfilling day up and down the State of Delaware.

With that, I thank my colleague from Rhode Island.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

TSCA MODERNIZATION ACT OF 2015

Mr. INHOFE. Mr. President, I ask that the Chair lay before the Senate the message from the President of the United States of America H. R. 2576.

The Presiding Officer laid before the Senate the following message from the House of Representatives:

Resolved, That the House agree to the Senate amendment to the bill (H.R. 2576), entitled “An Act to modernize the Toxic Substances Control Act, and for other purposes,” with an amendment to the Senate amendment.

MOTION TO CONCUR

Mr. INHOFE. Mr. President, I move to concur in the House amendment to the Senate amendment.

I ask unanimous consent that there now be 45 minutes of debate on the motion to concurrence, and that following the use or yielding back of time, the Senate vote on the motion to concur.

The PRESIDING OFFICER. Is there objection, it is so ordered.

Mr. INHOFE. For the information of Senators, this will allow us to pass this bill tonight by voice vote.

Mr. President, I seek unanimous consent that for that 45 minutes of debate, the Senator from California, Mrs. BOXER, be recognized for 10 minutes; followed by the Senator from Louisiana, Mr. VITTER, and then go back and forth in 5-minute increments.

The PRESIDING OFFICER. Is there objection?

The Senator from California.

Mrs. BOXER. Reserving the right to object, Mr. President, I want to make a little clarification.

Senator UDALL has asked for 10 minutes. If we could use our time, allowing this Senator 10 minutes, and then after Senator VITTER’s time, we would go to Senator UDALL for 10 minutes and then back to the other side. Then Senator MARKET wanted 5 minutes and Senator WHITEHOUSE wanted 5 minutes as well— if it would go in that order as stated, with 10 for myself, 10 for Senator UDALL, 5 for Senator MARKET, and 5 for Senator WHITEHOUSE.

Mr. INHOFE. I believe that adds up to our 45 minutes, and I will just not speak until after the vote.

The PRESIDING OFFICER. Is there objection to modifying the request?

Mrs. BOXER. There would be 5 minutes left. That is all right.

Mr. INHOFE. I will amend my unanimous consent request.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. BOXER. Mr. President, I want to start thanking my dear friend, Senator INHOFE. We have had a wonderful relationship when it comes to the infrastructure issues. We have not worked terribly well together on environmental issues, but because of both of our staffs and the Members of our committee on both sides of the aisle, we were able to tough it out and come up with a bill that I absolutely believe is better than current law. I will be entering into the RECORD additional views by four leading Democratic negotiators—myself, Senator UDALL, Senator MERKLEY, and Senator MARKET.

I rise in support of H.R. 2576, the Frank R. Launtenberg Chemical Safety for the 21st Century Act. I spoke at length about this before, so I won’t go on for a long time. But I do want to reiterate that the journey to this moment has been the most complicated journey I have ever had to take on any piece of legislation, and I have been around here for a long time.

It was a critical journey. When naming a bill after Senator Launtenberg, who fought for the environment all his life, the bill must be worthy of his name, and, finally, this bill is.

It didn’t start out that way. I used every prerogative I had, every tool in my arsenal to bring it down until it got better, and it is better. It is better than current law. Asbestos, for example, is one of the most harmful chemicals known to humankind, and it takes 15,000 lives a year. It is linked to a deadly form of lung cancer called mesothelioma. People can breathe in these fibers deep into their lungs where they cause serious damage. We have addressed asbestos in this bill. We didn’t ban it on this bill, which I support—and I have stand-alone legislation to do that—but we have made asbestos a priority in this bill.

Flame retardants are another category of dangerous chemicals. They have been linked to a wide array of serious health problems, including cancer, neurodevelopmental delays, obesity, and reproductive difficulties. These harmful chemicals have been added to dozens of everyday items such as furniture and baby products. So when we are talking about TSCA reforming the toxic laws, we are not just talking about a conversation, we are not just talking about a theory, we are not talking about something you would address in a classroom. We are talking about our families.

Now, our negotiations have been challenging. Many organizations in many States stood strong despite the pressure to step back, and I am so grateful to them for their persistence. I especially want to thank the 450 organizations that were part of the Safer Chemicals, Healthy Families coalition that worked with me, as well as the Asthma Disease Awareness Organization for their efforts. Without them, I would not have had the ability to negotiate important improvements.

Let me make clear that not only a few of the most important changes in the final bill. I can’t go one more minute without thanking the two people who are sitting right behind me, Bettina Poirier, who is my chief of staff on the committee and chief counsel, and Jason Albright, who is my senior advisor. They worked tirelessly—their conversations were available to me 24/7. They never would have listened to this bill, and we never would have gotten to a bill worthy of Frank’s name, and it means a great deal to me.

The first major area of improvement is the preemption of State restrictions on chemicals. If that had carried on, we would have been able to make important exceptions to the preemption provisions.

First, the States are free to take whatever action they want on any chemical until EPA has taken a series of steps to study a particular chemical. Second, when EPA announces the chemicals they are studying, the States still have up to a year and a half to take action on these particular chemicals to avoid preemption until the EPA takes final action.

Third, even after EPA announces its regulation, the States have the ability to get a waiver so they can still regulate the chemical, and we have made improvements to that waiver to make it easier for States.

For chemicals that industry has asked EPA to study, we made sure that States are not preempted until EPA issues a final restriction on the chemical, and for that I really want to thank my dear friend in the House. They put a lot of effort into that.

The first 10 chemicals EPA evaluates under the bill are also exempted from preemption until the final rule is issued. Also, State or local restrictions on a chemical that were in place before April 22, 2016, will not be preempted.

So I want to say, as someone who comes from the great State of California—home to almost 40 million people and which has a good strong program—esa was not protected. Rather have written this provision myself? Of course, and if I had written it myself I would have set a floor in terms of this standard and allowed the States to take whatever action they wanted to make it tougher. But this was not to be. This was not to be. So because I couldn’t get that done, what we were able to get done were those four or five improvements that I cited.

The States that may be watching this debate can really gear up and move forward right now. There is time. You can continue the work on regulations you passed before April. You can also have a year and a half once EPA announces the chemical, and if they don’t announce anything, you can go back to doing what you did before. An EPA that is not funded right, I say to my dearest friend on the floor today, is not going to do anything. So the States will have the ability to do it. I would hope we would fund the EPA so we have strong State programs as well. But we will have to make sure that the EPA doesn’t continually get cut.
The second area of improvement concerns asbestos. I think I have talked about that before. It is covered in this bill.

The third area of improvement concerns cancer clusters. This one is so dear to my heart and to the heart of my good friend and colleague, Senator Crapo. We wrote a bill together called the Community Disease Cluster Assistance Act, or “Trevor’s Law.” Trevor’s Law provides localities that ask for it a coordinated response to cancer clusters in their communities.

What Trevor taught us from his experience with a horrible cancer is that sometimes these outbreaks occur and no one knows why. Yet it is considered a local issue. Now, if the local community requests it—if they request it—they will get help.

Fourth, we have something called persistent chemicals. Those are chemicals that build up in your body. You just don’t get rid of them. They are a priority in this legislation.

Fifth, another one that is dear to my heart and dear to the heart of Senator Manchin and Senator Capito is this provision that ensures that toxic chemicals stored near drinking water supplies in West Virginia in 2014, causing havoc and disruption. They didn’t know what the chemical was. It got into the water. They didn’t know what to do. As we all remember, it was a nightmare for the people there—no more. Now we are going to make sure that the EPA knows what is stored near drinking water supplies.

The sixth is very important and is something that got negotiated in the dead of night. I want to thank Senator Inhofe. Mr. President and dear to my heart and to the heart of Senator Crapo and Alex- ander were extremely helpful. Also, a little later on, Senators Booker, and Merkley, and Markley did a lot to advance the ball and refine the product. Of course, at every step of the way, I continued to meet and talk with Congressmen John Shimkus, John Shimkus, and others mentioned. As with most major undertakings, we had a lot of other help all along the way. Early on, at that stage of the process, Senators Crapo and Alexander were extremely helpful. Also, a little later on, Senators Book- er, and Merkley, and Markley, and many others, and some policy adviser, Jonathan Black. Throughout this process, staff was absolutely essential and monumental. They were just a very difficult and trying circumstances. I mentioned Bryan Zumwalt, my former chief counsel. He was a driving force behind this. I deeply appreciate and acknowledge his work, as well as some policy adviser, Jonathan Black. And Dimitri Karakitsos, who continues to work as a key staff on the committee and who is seeing this through the goal line. Let me also thank Ben Dunham, the former chief counsel to Senator Lau- tenberg, and Adrian Deveny in Senator Mar- key’s office.

Looking forward, I want to make a point. This new TSCA law will only be as good as the EPA is good. With a good EPA, we can deliver a much safer environment for the American people—safer products, less exposure to harm- ful toxins, and better health for our people. With a bad EPA that does not value public health, not much will get done. But, again, if a bad EPA takes no action, States will be free to act.

Mr. President, I ask for 30 additional seconds, and I will wrap this up.

Mr. INHOFE. Reserving the right to object, we do have this down with five people.

Mrs. BOXER. I ask unanimous consent for 30 seconds. I am just going to end with 30 seconds, and I will add 30 seconds to your time.

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

Mrs. BOXER. I say to the States: You are free to act with a bad EPA. Compared to where we started, we have a much better relationship between the States and the Federal Government. It is not perfect. The bills I worked on with Frank did not do this. They did not preempt the States. But because of this challenging journey, we respected each other on both sides, we listened to each other on both sides, and today is a day we can feel good about.

We have a decent bill, a Federal pro- gram, and the States will have a lot of latitude to act.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Mr. President, I rise also to laud a really significant achievement that we are going to finalize tonight for passage of the Frank R. Lautenberg Chemical Safety for the 21st Century Act.

This much needed bill will provide updates that have been due literally for decades to the Toxic Substances Con- trol Act of 1976, known as TSCA for short, which has been outdated and overdue for updating since almost that time. Now, getting to where we are to- night, about to pass this by an over- whelming vote, following the 403-to-12 vote in the Senate a few weeks ago, did not happen overnight. In fact, it took about 5-plus years.

In 2011 I started discussions with a broad array of folks, certainly including Senator Lautenberg. That is when I first sat down with Frank and started this process in a meaningful way and when we agreed that we would try to bridge the significant differences be- tween our two viewpoints and come up with a strong bipartisan bill.

That same year I also sat down with John Shimkus of Illinois to let him know that Frank and I were going to put in a lot of effort to come up with this framework, and we wanted him to be a full and equal and contributing partner. Over the next year and a half, we slogged through that process of try- ing to come up with a strong bipartisan bill. It wasn’t easy. Between Senator Lautenberg and myself and our staffs and other staffs, there was an often brutal stretch of difficult negotiations and challenging times, testing everybody’s patience.

Several times we walked away to come back together again. Finally, it did come together. In early 2013, that really started taking shape. Toward the end of April 2013, we were far enough along to lock a small group of staff and experts in a room to finalize that first bipartisan bill. There were folks like Bryan Zumwalt, my chief counsel then; Dimitri Karakitsos, who is my counsel and is now a key staffer who continues on the EPW Committee; Senator Lautenberg’s chief counsel, Ben Dunham; and his chemical adviser, Brendan Beil.

The bill finally to this first bipar- tisan bill that we introduced on May 23, 2013. Now, that wasn’t the end of our TSCA journey. Unfortunately, in many ways, the most difficult segment of that journey was soon after that in- troduction on May 23, 2013. June 3, just a few weeks later, Frank passed. The single greatest champion of re- forming how chemicals are regulated died at 89 years of age. That was heart breaking. But it was a moment when all of us who had been involved only redoubled our commit- ment to following this through to the end. Soon after Frank’s unfortunate passing, our colleague Tom Udall real- ly stepped up to the plate in a major way to take Frank’s role as the Demo- cratic lead in this effort. We had a quiet dinner one night here on Capitol Hill to talk about our commitment to carry on this fight and get it done. We formed a partnership and a friendship that was really built around this work with an absolute commitment to get that done. I will always be so thankful to Tom and his partnership and also to his great staff, including their senior policy adviser, Chris Salley.

As with most major undertakings, we had a lot of other help all along the way. Early on, at that stage of the process, Senators Crapo and Alexander were extremely helpful. Also, a little later on, Senators Book- er, and Merkley, and Markley, and many others. As was his senior policy ad- viser, Chris Salley. Throughout this process, staff was absolutely essential and monumental. They were just a very difficult and trying circumstances. I mentioned Bryan Zumwalt, my former chief counsel. He was a driving force behind this. I deeply appreciate and acknowledge his work, as well as some policy adviser, Jonathan Black. And Dimitri Karakitsos, who continues to work as a key staff on the committee and who is seeing this through the goal line. Let me also thank Ben Dunham, the former chief counsel to Senator Lau- tenberg, and Adrian Deveny in Senator Mar- key’s office.

Looking forward, I want to make a point. This new TSCA law will only be as good as the EPA is good. With a good EPA, we can deliver a much safer environment for the American people—safer products, less exposure to harm- ful toxins, and better health for our people. With a bad EPA that does not value public health, not much will get done. But, again, if a bad EPA takes no action, States will be free to act.
I want to thank Mike Walls, Dell Perelman, Rudy Underwood, Amy DuVall, Robert Flagg, and, of course their leader, Cal Dooley.

Finally, there is one enormous figure who is owed a great debt of gratitude and a sincere thank you for seeing this through the goal line tonight: that is, Frank’s better half—and I say that with deep respect and admiration to Frank, but surely his better half—Bonnie Lautenberg. She has been called the 101st Senator, particularly on this issue. She was in the Senate for 3 years. We met, I think, about 3 years ago and had a dinner and decided, after working on this piece of legislation thorough through the process over 3 years, I have gotten the same question over and over: What made this legislation different? Why was the agreement possible when other bills stalled? I thought about it quite a bit. It wasn’t that the bill was simple. This was one of the most complex environmental pieces of legislation around. It certainly wasn’t a lack of controversy. This process almost fell apart many times. It certainly wasn’t a lack of interest from stakeholders. Many groups were involved, all with strong and passionate views and some with deep distrust. We faced countless obstacles, but I think what made this possible was the commitment and the willpower by some involved in the legislation through and endure the slings and arrows. I say a heartfelt thank-you to everyone involved.

I remember having dinner with Senator VITTER one evening on when I was trying to decide if we should take up Frank Lautenberg’s work on this bill. There was already plenty of controversy and concern about the bill. Senator VITTER and I were not used to working with each other. In fact, we have almost always been on opposite sides. But I left that dinner with the feeling that Senator VITTER was committed, that he wanted to see this process through and was willing to do whatever it would take. For 3 years, I never doubted that. Both of us took more than a little heat. We both had to push hard and get important groups to the table and make sure they stayed at the table. I thank Senator VITTER. He has been a true partner in this process.

There are many others to thank, and I will, but before I do that, I want to say a few words about this bill’s namesake. Frank Lautenberg was a champion for public health and a dogged, determined leader for TSCA reform. He cared so much for his children and grandchildren that he wanted to leave a better, healthier, safer environment for them. He always said that TSCA reform would save more lives than anything he ever worked on.

This is a bittersweet moment for all of us because Frank isn’t here to see this happen, but I have faith that he is watching us and he is cheering us on. His wife Bonnie has been here working as the 101st Senator. She has been a force and inspiration, keeping us going, pushing us when we needed it. She helped us fulfill Frank’s vision.

In the beginning, we thought the bill might not ever get introduced in the Senate. We entered this Congress after the Republicans took the majority. Many felt that strong environmental legislation was impossible. They urged us to wait. But many of us felt that 40 years was already too long to wait. We knew we could do it, make it better, and get it passed.
Senator CARPER was one of those key members on the Environment Committee. He gave us legs to get out of the gate. He and Senators MANCHIN and COONS were among our original cosponsors. They recognized that we had a great opportunity before us, and I thank them all.

They say that in order to get things done in Washington, you need a good, strong chairman, and Chairman INHOFE fits that descriptor. I thank Chairman INHOFE and especially his staff, Ryan Jackson and Dimitri Karakitsos.

Chairman INHOFE’s team was instrumental in moving things forward and working with me to ensure that we built on the possibility of support. They knew that with broad support, we could do better than get it out of committee, we could get it across the finish line.

There are days when we all feel discouraged by gridlock here in Washington, but Chairman INHOFE and Senator VITTER rose above that. They saw the value of working together across party and across House and Senate.

Senators DURBIN and MARKEY, our 59th and 60th cosponsors of our legislation, their staff—Adam Zipkin, Adrian Deveny, and Emily Enderle, among others—were key.

A strong bipartisan vote of 15 to 5 out of the committee set us up for action on floor. As many of you know, floor of the committee set us up for action among others—were key.

Mr. MARKEY. Mr. President, today Congress stands ready to reform the last of the core four environmental statutes. It may do so with a stronger bipartisan vote than any other major environmental statute in recent American history.

For a generation, the American people have been guinea pigs in a terrible chemical experiment. Told that all the advances in our chemistry labs would make us healthier, happier, and safer, American families have had to suffer through and accept the fact that nothing could be assumed to be safe until tests were conducted. Even when the industry successfully overturned the EPA’s proposed ban on asbestos, it also rendered the Toxic Substance Control Act all but unusable. Children shouldn’t be unwitting scientific subjects. Today we have a chance to protect them by reforming this failed law.

As ranking Democrat on the Senate subcommittee of jurisdiction, I was one of a handful of Members who participated in informal discussions with the House. With Senators UDALL, BOXER, and MERKLEY, I have prepared a document that is intended to memorialize certain agreements made in the bicameral negotiations that would typically have been included in a conference report.

In our work with the House, we truly did take the best of both bills when it came to enhancing EPA’s authority to regulate chemicals. The statute which States will be preempted as the Federal Government regulates chemicals has been a source of considerable debate since this bill was first introduced. I have always been a very strong supporter of States’ rights to take actions needed to protect their own residents. For many of us, accepting preemption of our States was a difficult decision that we only made as we also secured increases to the robustness of the EPA chemical safety program.

I am particularly pleased that efforts I helped lead resulted in the assurance that Massachusetts’ pending flame retardant law will not be subjected to a legislative challenge. I believe that the mechanisms that States’ ongoing work on consistent chemical regulations.

I think it is that important, but we have this time agreement, and we need to move on.

I yield to Senator MARKEY for 5 minutes, and then we are going to Senator WHITEHOUSE for 5 minutes unless there is a Republican to intervene. Chairman INHOFE, is that correct?

Mr. INHOFE. That is right.

I would also say that I will forgo my remarks in order to give them more time until after the vote.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. UDALL. Mr. President, has my time expired?

The PRESIDING OFFICER. Yes, it has.

Mr. UDALL. Thank you very much.

Let me just say that I am going to stay on the floor and have two Senators. I am going to stay with Senator INHOFE and thank additional people because I think it is that important, but we have this time agreement, and we need to move on.

I yield to Senator MARKEY for 5 minutes, and then we are going to Senator WHITEHOUSE for 5 minutes unless there is a Republican to intervene. Chairman INHOFE, is that correct?

Mr. INHOFE. That is right.

I would also say that I will forgo my remarks in order to give them more time until after the vote.

Mr. MARKEY. Mr. President, I ask unanimous consent to extend 1 additional minute.

The PRESIDING OFFICER. Is there an objection?

Without objection, it is so ordered.

Mr. MARKEY. Mr. President, I ask unanimous consent to extend 1 additional minute.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MARKEY. Mr. President, I ask unanimous consent to extend 1 additional minute.

The PRESIDING OFFICER. Is there an objection?

Without objection, it is so ordered.

Mr. MARKEY. I also thank Ryan Schmit, Don Sadowsky, and Scott Sherlock.

I want to thank Stephanie Harding and Andrew McConville at CEQ, whose dedication to this agreement helped us, especially in these last few weeks.

There are some outside stakeholders who worked particularly closely with
my staff and with me, including Andrew Rogers, Andrew Goldberg, Richard Denison, Joanna Slaney, Mike Walls, Rich Gold, and Scott Faber.

I have enjoyed meeting, working with, and partnering with each one of these outstanding people over the last year.

This is a huge bill. It is a historic moment. It is going to make a difference in the lives of millions of Americans. It is the most significant environmental law passed in this generation.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MARKEY. The old law did not work. This one is going to protect the American people.

I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, as the old saying had been a long, strange trip getting here, and it has had its share of near-death experiences, as Senator UDALL is intimately aware of. I was involved with Senator MERKLEY and Senator BOOKER in one of those near-death experiences. If this was a rocket with stages, one of the major stages was the Merkle-Booker-Whitehouse effort in the committee. I just wanted to say it was the first time the three of us worked together as a triumvirate. They were wonderful to work with. They were truly a pleasure. We had a lot on our plates. We made about a dozen major changes in the bill.

I want to take just a moment to thank Emily Enderle on my staff, who was terrific through all of the negotiations and renegotiations and counter-negotiations in that stage. But this was obviously a rocket that had many more stages than that one.

I thank Chairman INHOFE and his staff for their persistence through all of this.

Ranking Member BOXER was relentless in trying to make this bill as strong as she could make it through every single stage, and it is marked by that persistence.

Senator VITTER and Senator UDALL forged the original notion that this compromise could be made to happen, and they have seen it through, so I congratulate them.

The Senator's had a rather different view of how this bill should look. Between Senator INHOFE, Senator UDALL, Representative PALLONE, and Representative UPTON, they were able to work out a bicameral as well as a bipartisan compromise that we all could agree to.

There are a lot of thanks involved, but I close by offering a particular thank-you to my friend Senator UDALL. In Greek mythology there is a Titan, Prometheus, who brought fire to humankind. His penalty for bringing fire to humankind was to be strapped to the rock by chains and have Zeus send an eagle to eat his liver every single day. It is an image of persisting through pain. I do have to say Senator VITTER may have had his issues on his side—I do not know how that looked—but I can promise on our side Tom UDALL persisted through months and months of pain, always with the view that this bill could come to the place where this day could happen.

There are times when legislation is legislation, and there are times when legislation has a human story behind it. This is a human story of courage, foresight, persistence, and willingness to absorb a considerable number of slings and arrows on the way to a day when slings and arrows are finally put down and everybody can shake hands and agree we have, I think, a terrific victory. While there is much credit in many places, my heart in this is with Senator Tom UDALL of New Mexico.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, today, while the Nation has been focused on the final six primaries across the Nation, the final six State primaries across the Nation, something extraordinary happened on the floor of the Senate. The Senate is taking the final congressional act to send the Frank R. Lautenberg Chemical Safety for the 21st Century Act to the President's desk.

This bill is landmark legislation that honors the legacy of our dear colleague Frank Lautenberg. This is landmark legislation that will make a real difference for the health and safety of every American. This is the first significant environmental legislation to be enacted by this Chamber in 25 years.

This bill—this extraordinary bill—brought Democrats and Republicans together to take action to protect public health. I have been honored to be a part of this coalition as we have worked toward a final bill for over a year. It hasn't been easy, but things worth doing are rarely easy.

A huge thank-you to Senators UDALL and VITTER, who cosponsored this bill, lead the way; Senators BOXER and INHOFE, the chair and ranking member of the Environment Committee; and Senators MARKEY, WHITEHOUSE, and BOOKER for their leadership and contributions throughout this entire process.

Also, a special thank-you to the staff who worked day and night. I know I received calls from my staff member Adrian Deveny at a variety of hours on a variety of weekends as he worked with other staff members to work out, iron out the challenges that remained, so a special thank-you to Adrian Deveny.

Just a short time ago, I had the chance to speak to Bonnie Lautenberg, Frank Lautenberg's wife. She would have loved to have been here when we took this vote, but she is going to be down in the Capitol next week with children and grandchildren. I hope to get a chance to really thank her in person for her husband's leadership but also for her leadership, her advocacy that we reached this final moment. She said to me: It appears it takes a village to pass a bill. Well, it does. This village was a bipartisan village. This was a bi-counterpart village. It has reached a successful conclusion.

In the most powerful Nation on Earth, we should not be powerless to protect our citizens from toxic chemicals in everyday products. Today marks a sea shift in which we finally begin to change that. For too long, we have been unable to protect our citizens from toxic chemicals that hurt pregnant women and young children, chemicals that hurt our children's development, chemicals that cause cancer.

The Frank R. Lautenberg Chemical Safety for the 21st Century Act will tremendously improve how we regulate toxic chemicals in the United States—those that are already in products and should not be used and those new chemicals that are invented that should be thoroughly examined before they wind up in our products. This bill makes sure that toxic chemicals don't find their way into our classrooms, into our bedrooms, into our homes, into our workplaces. Now the Environmental Protection Agency will have the tools and resources needed to evaluate the dangerous chemicals and to eliminate any unsafe uses.

My introduction to this issue began with a bill in the Oregon State Legislature about the cancer-causing flame retardants that are in our carpets and our couches and the foam in our furniture that should not be there. This bill gives us the ability to review that and to get rid of those toxic chemicals. It was enormously disturbing to me to find out that our little babies crawling on the carpet, their noses 1 inch off the ground, were breathing in dust from the carpet that included these cancer-causing flame retardants. It should never have happened, but we did not have the type of review process that protects Americans. Now we will.

So, together, a bipartisan team has run a marathon, and today we cross the finish line. In short order, this bill will be sitting in the Oval Office, on the President's desk, and sitting on ink to paper and creating this new and powerful tool for protecting the health of American citizens. That is an enormous accomplishment.

Mr. President, on behalf of Senator BOXER, the printing cost of the statement of additional views with respect to H.R. 2376, TSCA, will exceed the two-page rule and cost $2,111.20.

I ask unanimous consent that the Boxer statement of additional views be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:
make an affirmative finding regarding the chemical's or significant new use's potential risks as a condition for commencement of manufacture for commercial purposes and, in the case of a chemical or significant new use that is not likely to present an unreasonable risk, manufacture will not be allowed to occur. If EPA finds that the chemical's or significant new use's risks or that the chemical or significant new use does or may present an unreasonable risk, it, in its discretion, may issue an order that precludes market entry or imposes conditions sufficient to prevent an unreasonable risk. EPA can also require additional testing. Only chemicals and significant new uses that EPA finds are not likely to present an unreasonable risk can enter production without restriction. This affirmative approach to better ensuring the safety of new chemicals entering the market is essential to restoring the public's confidence in our chemical safety system.

4. UNREASONABLE RISK

TSCA as in effect before the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act authorized EPA to regulate chemical substances if it determines that the chemical substance or mixture "presents or will present an unreasonable risk to health or the environment." EPA could require, where relevant, EPA to do so or to reach conclusions on the potential risks of all such chemicals before they enter the marketplace. EPA has authority to issue orders blocking or limiting production or other activities if it finds that information available to the Administrator is insufficient to establish that the standard for designating a chemical substance as a high-priority substance is not met. Clear authority is provided under section 4(a)(2)(B), as created in the Frank R. Lautenberg Chemical Safety for the 21st Century Act, to enable EPA to obtain the information needed to prioritize chemicals for which information is initially insufficient. This text also directs EPA to "require EPA to do so or to reach conclusions on the potential risks of all such chemicals before they enter the marketplace. EPA has authority to issue orders blocking or limiting production or other activities if it finds that available information is inadequate and the chemical may present an unreasonable risk, but the burden is on EPA to invoke this authority. EPA does not do so within the 90–180 day review period, manufacture of the new chemical can automatically commence. This bill makes significant changes to this passive approach to the current law's failures. In several significant ways, EPA will be required to review all new chemicals and significant new uses and conduct evaluations on mixtures calls into question whether such risks exist "without consideration of costs or other nonrisk factors" and, if they do, to promulgate a rule that "ensures" that the percentages be met. Also, clause (Ex)(ii) makes clear that industry requests for risk evaluations "shall be" subject to a fee that may be imposed by the Frank Lautenberg Act (which are subject to a termination in section 26(b)(6)) are allowed to lapse, industry's opportunity to seek risk evaluations will also lapse and the minimum 25 percent requirement will not apply.

7. FACE OF AND LONG-TERM GOAL FOR EPA SAFETY REVIEWS OF EXISTING CHEMICALS

Section 6(b) of TSCA, as amended by the Frank R. Lautenberg Chemical Safety for the 21st Century Act, requires EPA to conduct at industry's request at between 25 percent (if enough requests are submitted) and 50 percent. The Administrator shall set up a system to ensure that those percentages are met and not exceeded in each fiscal year. An informal effort that simply takes requests as they come in and hopes that the percentages will work out does not meet the requirement that the percentages be "ensured" that the percentages be met. Also, clause (Ex)(ii) makes clear that industry requests for risk evaluations "shall be" subject to a fee that may be imposed by the Frank Lautenberg Act (which are subject to a termination in section 26(b)(6)) are allowed to lapse, industry's opportunity to seek risk evaluations will also lapse and the minimum 25 percent requirement will not apply.
Several sections of the Frank R. Launtenberg Chemical Safety for the 21st Century Act include direction to EPA to take certain actions to “the extent practicable”, in contrast to the requirement as reported to the Senate that actions be taken to “the maximum extent practicable”. During House-Senate negotiations on the Bill, Senate negotiators requested that House Telecom Counsel believed the terms “extent practicable” and “maximum extent practicable” are synonymous, and ultimately Congress agreed that “the maximum extent practicable” in the Frank R. Launtenberg Chemical Safety for the 21st Century Act with the expectation that no change in meaning from S 697 as reported by the Senate be inferred from that agreement.

Section 6(c)(2) of TSCA, as amended by the Frank R. Lautenberg Chemical Safety for the 21st Century Act, requires EPA to “consider in determining how to regulate a chemical substance or mixture: . . . (II) the costs and benefits of the proposed regulatory action and of the 1 or more primary alternative regulatory actions considered by the Administrator; and (III) whether the proposed regulatory action and of the 1 or more primary alternative regulatory actions considered by the Administrator . . .” The language above specifies the information on effects, exposures and health that EPA is to consider in determining how to regulate a chemical substance or mixture on the environment and the magnitude of the exposure of the environment to such substance or mixture; “the likely effect on the national economy, small business, technological innovation, the environment, and public health; “the costs and benefits of the proposed and final regulatory action and of the 1 or more primary alternative regulatory actions considered by the Administrator; and “the effectiveness of the proposed regulatory action and of the 1 or more primary alternative regulatory actions considered by the Administrator.”

The scope of the statement EPA is required to prepare under clauses (i)-(iv) is bounded in two important respects. First, it is to be based on information reasonably available to the Administrator, and thus includes to the extent feasible, recognizing the chemical’s health and environmental effects and exposures in the risk evaluation itself.

The scope of the statement EPA is required to prepare under clauses (i)-(iv) is bounded in two important respects. First, it is to be based on information reasonably available to the Administrator, and thus includes to the extent feasible, recognizing the chemical’s health and environmental effects and exposures in the risk evaluation itself.

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The scope of the statement EPA is required to prepare under clauses (i)-(iv) is bounded in two important respects. First, it is to be based on information reasonably available to the Administrator, and thus includes to the extent feasible, recognizing the chemical’s health and environmental effects and exposures in the risk evaluation itself.

EPA’s authority and duties under section 6 of TSCA have been significantly expanded by the Frank Lautenberg Chemical Safety for the 21st Century Act, now including comprehensive deadlines and throughput expectations for chemical prioritization, risk evaluation, and risk management. The interagency referral process and the intra-agency consideration process established under Section 8(a) of TSCA should act in a timely manner to ensure that the chemical substance no longer presents such risk. Thus, once EPA has reached this conclusion, Section 9(a) is not required. Moreover, whether the Agency’s obligations under Sections 6(a) or 7 to address risks from activities involving the chemical substance, except as expressly identified in a section 8(a) referral for regulation by another agency which EPA believes has sufficient authority to eliminate the risk and where the agency acts in a timely and effective manner to do so.

Regarding EPA’s consideration of whether to use non-TSCA EPA authorities in order to address unreasonable chemical risks identified under TSCA, this is a new (b)(2) merely consolidates existing language which was previously split between section 6(c) and (c)(2)(a). It only applies when the Administrator has already determined that a risk to the health or the environment associated with a chemical substance or mixture could be eliminated or reduced to a sufficient extent by additional actions taken under other EPA authorities. It allows the Administrator to address the risk or substance in a more primary regulatory action to the extent feasible, recognizing the chemical’s health and environmental effects and exposures in the risk evaluation itself.

The language above specifies the information on effects, exposures and health that EPA is to consider in determining how to regulate a chemical substance or mixture on the environment and the magnitude of the exposure of the environment to such substance or mixture; “the likely effect on the national economy, small business, technological innovation, the environment, and public health; “the costs and benefits of the proposed and final regulatory action and of the 1 or more primary alternative regulatory actions considered by the Administrator; and “the effectiveness of the proposed regulatory action and of the 1 or more primary alternative regulatory actions considered by the Administrator.”
15. CHEMICAL IDENTITY

Section 14(b)(2) of the bill retains TSCA’s provision making clear that information from health and safety studies is not protected from disclosure. It also retains TSCA’s exceptions from disclosure of information from health and safety studies: for information where disclosure would disclose either how a chemical is manufactured or that a chemical comprises in a mixture. A clarification has been added to the provision to note explicitly that the specific identity of a chemical comprising, the portion a chemical comprises in a mixture. This clarification does not signal any Congressional intent to alter the meaning of the provision, only to clarify its intent.

16. "REQUIREMENTS"

Subsection 5(1)(2) of TSCA, as amended by the Frank R. Lautenberg Chemical Safety for the 21st Century Act clarifies the Congressional intent that state requirements, including legal causes of action arising under statutory or common law, are not preempted or limited in any way by EPA action or inaction on a chemical substance. Section 18(d)(1) of TSCA, as amended by the Frank R. Lautenberg Chemical Safety for the 21st Century Act, clarifies that state requirements, including legal causes of action arising under statutory or common law, are not preempted or limited in any way by EPA action or inaction on a chemical substance.

17. STATE-FEDERAL RELATIONSHIP

Sections 18(a)(1)(B) and 18(b)(1) of TSCA, as amended by the Frank R. Lautenberg Chemical Safety for the 21st Century Act, refer to circumstances under which a state may not establish or continue to enforce a “statute, criminal penalty, or administrative action” on a chemical substance. Section 18(b)(2) states that “this subsection does not restrict the authority of a State or political subdivision of a State to continue to enforce any statute enacted, criminal penalty assessed, or administrative action or proceeding.”

18. FEES

Fees under section 26(b), as amended by the Frank R. Lautenberg Chemical Safety for the 21st Century Act, are collections of fees for conducting risk evaluations on or in the following chemicals: ethylene oxide (E), tetrafluoroethylene (TFE), N,N-dimethylformamide (DMF), acrylonitrile (AN), and TCE, NMP, and MC, but has not yet proposed a chemical for risk evaluation in the 2014 update to the TSCA Work Plan for Chemical Assessments for which the Administrator has published a completed risk assessment prior to the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act, the Administrator will not collect fees for any risk assessments under section 6(a) that are consistent with the scope of the completed risk assessment for the chemical substance and consistent with other applicable requirements of section 6.” EPA has completed risk assessments on TCE, NMP, and MC, but has not yet proposed...
or finalized section 6(a) rules to address the risks that were identified. The risk assessments for these chemicals were not conducted across all conditions of use. During the biennium, EPA will conduct the necessary studies to evaluate the risk assessment for these chemicals. EPA will be able to complete the necessary studies to evaluate the risk assessments for these chemicals and the following paragraphs make the assumption that EPA will be able to complete these studies in a timely manner.

Mr. MERKLEY. I yield the floor.

Mrs. GILLIBRAND. Mr. President, I rise today to discuss a few provisions in the bill with the desire of clarifying what the Congressional intent was behind these provisions. 

Mr. INHOFE. Senator Vitter and I rise today to discuss a few provisions in the bill with the desire of clarifying what the Congressional intent was behind these provisions. 

Mr. VITTER. Thank you, Senator INHOFE. There are many important provisions of this law and I think clarifying what Congress intended is very important to ensure the legislative intent is maintained. 


Mr. MERKLEY. I yield the floor.

Mr. VITTER. Thank you, Senator INHOFE. There are many important provisions of this law and I think clarifying what Congress intended is very important to ensure the legislative intent is maintained. 

to ask. If EPA’s final Section 6(a) risk management rule includes a restriction or prohibition on some of the conditions of use identified in EPA’s scope of the risk evaluation, but not all of them, is it final agency action as to those items of use?

Mr. VITTER. That is a very important question and the clear intent of Congress is the answer is yes. This is because, to be legally sufficient according to EPA’s own technical assistance, EPA’s Section 6(a) rule must prove that the chemical substance or mixture no longer presents an unreasonable risk. A Section 6(i) order, determining that a chemical substance does not present an unreasonable risk under conditions of use, is similarly final Agency action applicable to all those conditions of use that were identified in the scope of EPA’s risk evaluation on the chemical substance. To be clear, every condition of use identified by the Administrator in the scope of the risk evaluation will be either found to present or not present an unreasonable risk.

Mr. INHOFE, this brings me to a question on the testing EPA has the authority to require manufacturers to conduct under the compromise. One of the major flaws in TSCA is the so-called ‘catch 22’ under which EPA cannot require testing of chemicals without first making a finding that the chemical may present an unreasonable risk. In TSCA’s history, EPA has been able to make that finding only for about 200 chemicals. Does the compromise remedy that provision of TSCA?

Mr. INHOFE. It is clear that the compromise directs EPA to systematically evaluate more chemicals than ever before. To help the Agency meet that objective, the compromise does two things. First, EPA can issue a test rule or order if it finds that a chemical substance may present an unreasonable risk to health or the environment. In this case, an EPA order would be a final agency action subject to judicial review. EPA would be well-advised to consider the practice of issuing a ‘statement of need’ similar to that required under section 4(a)(3) when using this authority.

The section also provides EPA discretionary authority to require testing—by rule, order or consent agreement—when EPA determines that new information is necessary to review a pre-manufacture notice under section 5, to conduct a risk evaluation under section 6, or to implement rules or orders under those sections. The compromise also recognizes that EPA may need new information to prioritize a chemical substance for review, to assess certain exports, and at the request of another federal agency. To use this discretionary order authority, EPA must issue a ‘statement of need’ that explains the need for testing/exposure information. It must describe what available information has informed the decision to require new information, whether vertebrate animal testing is needed, and why an order is preferred to a rule.

Section 4 of the compromise also requires EPA to use ‘tiered’ screening and testing processes. This means EPA must require less expensive, less complex screening tests to determine whether higher level testing is required. This is an efficient approach to testing chemicals that is based on EPA experience in other testing programs. Tiered testing will also help assure EPA that the objective of the compromise to minimize animal testing that is set out in the compromise.

Finally, section 4 prohibits the creation of a ‘minimum information requirement’ for the prioritization of chemicals. That is a very important provision that should be applied to any and all testing by the Agency regardless of which authority it uses.

Senator VITTER, in addition to new testing authorities the bill also makes major changes to the new chemicals program under section 5 which has been largely viewed as one of the major strengths of existing law. It has been credited with spurring innovation in chemistry used for new products and technologies throughout the value chain. The industry we’re regulating in TSCA is highly innovative: 17 percent of all US patents are chemistry or chemistry related. Clearly Congress has an interest in preserving the economic engine that is the business of U.S. chemistry, while ensuring that EPA appropriately reviews new chemical substances and significant new uses. How does the compromise balance these interests?

Mr. VITTER. Protecting innovation and not materially altering the new chemicals process was a critical part of the final compromise. Every effort was made to ensure EPA has the right tools to review new chemical substances but the compromise intends to conform closely with EPA’s current practice and maintain the Agency’s timely reviews that allow substances to market within the statutory deadlines. First, the compromise retains the 90-day review period for EPA to make a risk-based decision on a new chemical, without consideration of costs or other non-risk factors. Second, when EPA does not have the information sufficient for the evaluation of a new chemical, or when EPA determines that a chemical substance may present an unreasonable risk, the compromise requires EPA regulate the new chemical to the extent necessary to protect against unreasonable risk. Once sufficient information is available, of course, EPA must make a decision. These requirements largely reflect EPA’s practice today, under which EPA can allow the new chemical on the market but with limits. Finally, if EPA determines that a new chemical is not likely to present an unreasonable risk, EPA must make a final statement to that effect before the end of the 90-day period. This provision ensures that chemicals considered not likely to pose an unreasonable risk are not delayed in getting to market.

Importantly, EPA would not stop reviewing new chemical notices while it develops any policies, procedures and guidance needed to implement these new provisions in Section 5. The compromise is very clear and did not stop or slow its review of new chemicals while it develops any needed new policies, procedures or guidance for Section 5. Also by amending Section 5 to require EPA make an affirmative finding before manufacturing or processing of a substance marketed. Congress did not intend to trigger the requirements of any other environmental laws. This again maintains the consistency with how EPA currently administers the new chemicals program under existing law.

Senator INHOFE, this leads me to another question on a provision that is rather technical and has been misunderstood by many and that is nomenclature. After the TSCA Inventory was established in 1979, questions arose as to the appropriate ‘nomenclature’ to be used to list these chemical substances. EPA addressed many of these questions in a series of guidance documents. The compromise includes a provision on nomenclature. What is this provision intended to do?

Mr. INHOFE. Thank you, Senator VITTER. These provision are very important to many major domestic producers including manufacturers of products like glass, steel, cement, along with domestic energy producers across the country. The chemical nomenclature provision in section 8 of the compromise addresses several issues critical to the efficient functioning of the new chemical regulatory framework.

For the purposes of the TSCA Inventory, a single, defined molecule is simple to name. For example, ethanol is a Class 1 chemical on the TSCA Inventory. Its identity does not depend on how it is made. Since one ethanol is the same as another ethanol, new producers can use the existing ethanol chemical listed on the TSCA Inventory. For other substances known as Class 2 chemicals, nomenclature is more complex. For those substances, the name of the substance typically includes either—or both—the source material and the process used to make it. The compromise requires EPA to maintain the Class 2 nomenclature system, as well as certain nomenclature conventions in widespread use since the early days of TSCA.

The compromise also directs EPA to continue to recognize the individual members of categories of chemical substances as being on the TSCA Inventory. The individual members of these categories are defined in inventory documents developed by EPA. In addition, the compromise permits manufacturers or processors to request that EPA recognize a chemical substance...
currently identified on the TSCA Inventory under multiple nomenclatures as ‘equivalents.’

Importantly, the equivalency provision relates only to chemical substances that are already on the TSCA Inventory. Unlike the equivalency provision specifically references substances that have Chemical Abstract Service (CAS) numbers, EPA could usefully apply an equivalency approach to substances on the Inventory that do not have CAS numbers as well, such as for naturally-occurring substances.

Now, Senator VITTEN, once a chemical is on the inventory, information about the substance that is provided to EPA often contains sensitive proprietary elements that need protecting. There has been a significant debate in recent years regarding the protection from public disclosure of a confidential chemical identity provided in a health and safety study under TSCA section 14(b). Although new section 14(b) is substantially similar to the TSCA statute, what is the intent behind the additional language related to formulas?

Mr. VITTEN. It was the Congressional intent of the legislation to balance the need for public access to health and safety studies with the need to protect from public disclosure valuable confidential business information (CBI) and trade secrets that are already exempt from mandatory disclosure under the Freedom of Information Act. Striking the appropriate balance between public disclosure on the one hand, and the protection of a company’s valuable intellectual property rights embodied in CBI and trade secrets on the other hand, is essential to better informing the public regarding decisions by regulatory authorities with respect to chemical, while encouraging innovation and economic competitiveness.

The compromise retains the language of existing section 14(b) to make clear that the Administrator is not prohibited from disclosing health and safety studies but that certain types of CBI and trade secrets disclosed within health and safety studies must always be protected from disclosure. The new, additional language in this section is intended to clarify that confidential chemical identities—which includes chemical names, formulas and structures themselves reveal CBI or trade secret process information—in such cases, the confidential chemical identity must always be protected from disclosure. The new language is not limiting; it makes clear that any other information that would reveal proprietary or trade secret processes is similarly protected. In other cases involving confidential chemical identities, EPA should continue to strike an appropriate balance between protection of proprietary CBI or trade secrets, and ensuring public access to health and safety information.

In addition to the protection of confidential information, another critically important provision in the deal was preemption. Senator Inhofe could you describe how the compromise addresses the relationship between State governments and the Federal government?

Mr. INHOFE. As we all recognize, the preemption section of this bill was the most contentious issue of the negotiations as well as the most important linchpin in the final deal. The compromise includes several notable provisions. First, it is clear that when a chemical has undergone a risk evaluation and determined to pose no unreasonable risk, any State chemical management action to restrict or regulate the substance is preempted. This outcome furthers Congress’s legislative objective of achieving uniform, risk-based chemical management nationally in a manner that supports robust national commerce. Federal determinations reached after the risk evaluation process that a chemical poses a significant risk in a particular use should be viewed as determinative and not subject to different interpretations on a state-by-state or locality-by-locality basis. Further, under the new legislation, EPA will make decisions that are consistent with its own risk assessment. Congress intended to ask you to help clarify the intent of the preemption provision as it relates to actions taken prior to enactment of the Frank Lautenberg bill.

Mr. VITTEN. Thank you, Senator INHOFE, for those important clarifications. I would ask you to help clarify the intent of that question that is very important to clarify in order to capture the full congressional intent of the bills preemption section. This Act is intended to change the preemption provisions of existing law. The new preemption provisions promulgated and actions taken under this Act after its effective date. This Act is not intended to alter any preemptive effect on common law or state positive law of regulations promulgated or administrative actions taken under preexisting authorities, and is not intended to make any statement regarding legal rights under preexisting authorities, including TSCA sections 6 and 17 in effect prior to the effective date of this Act.

Mr. INHOFE. I appreciate your clarification on the intent of an important aspect of preemption under this act and also wanted to follow up with a question on judicial review. Specifically, what changes to TSCA’s judicial review provisions have been made in the compromise?

Mr. VITTEN. When TSCA was first enacted in 1976, the Act created a higher level of judicial review for certain regulatory actions that were shortly made in chemicals in commerce. Congress took this approach because it wanted to ensure that rulemakings that would directly affect commerce by imposing restrictions on chemicals would be well supported with substantial evidence. The substantial evidence standard requires an agency rule to be supported by substantial evidence in the rulemaking record taken as a whole. The compromise legislation makes no changes to the process for judicial review of rulemakings or the review.

The compromise now provides EPA with expanded authority to pursue certain administrative actions by order in
addition to by rule. This new order authority is intended to allow EPA greater flexibility to move quickly to collect certain actions. It is intended that an agency order constitute final agency action on issuance and be subject to judicial review of Order under Sections 10, 5, and 6 of TSCA constitute final agency action on issuance, and continue to be reviewed under the standards established by the Administrative Procedures Act. The intention is that regulatory flexibility to move quickly to collect certain information and take certain actions. It is intended that an authority be supported by substantial evidence in the rulemaking record taken as a whole.

Mr. INHOFE, before we are done I think there are a few other sections of the bill that have been less discussed that it would be important to touch on. The first is Section 9 of TSCA which discusses the relationship between this and other laws administered by EPA and the regulatory procedures. Under Section 9 of TSCA constitute final agency action on issuance, and continue to be reviewed under the standards established by the Administrative Procedures Act. The intention is that regulatory flexibility to move quickly to collect certain information and take certain actions. It is intended that an authority be supported by substantial evidence in the rulemaking record taken as a whole.

Mr. INHOFE. The Senate Report language states that section 9 of TSCA provides EPA with discretionary authority to address unreasonable risks of chemical substances and mixtures under other environmental laws. “For example, if the Administrator finds that disposal of a chemical substance may pose risks that could be prevented or reduced under the Solid Waste Disposal Act, the Administrator should ensure that the relevant office of the EPA receives that information.”

Likewise, the House Report on section 9 of TSCA states: “For example, if the Administrator finds that disposal of a chemical substance may pose risks that could be prevented or reduced under the Solid Waste Disposal Act, the Administrator should ensure that the relevant authorities to protect against the risk.”

This act states in new section 9(a)(5) of TSCA that the Administrator shall not be relieved of any obligation to take appropriate action to address risks from a chemical substance under sections 6(a) and 7, including risks posed by disposal of the chemical substance or mixture. Consistent with the Senate and House reports, this provision means that the Administrator should be under the other laws such as the Solid Waste Disposal Act to prevent or reduce the risks associated with disposal of a chemical substance or mixture.

Senator VITTER. I know another section that is very important to you is the language around sound science and we all know you have worked to ensure that this bill fixes the scientific concerns of the National Academy of Science and other scientific bodies who have raised concerns with the way EPA has handled chemicals. Could you please discuss the Congressional intent of the bills science provisions?

Senator VITTER. That is an important question Senator INHOFE and I appreciate your inquiry into this. The Lautenberg bill tries to address the concern about forcing paralysis by analysis in several ways. First, the bill establishes that ‘reasonable risk’ under the conditions of use as the safety standard to be applied by EPA. ‘Unreasonable risk’ does not mean no risk; it means that EPA must determine, on a case-by-case basis, whether the risks posed by a specific high priority chemical compound are reasonable in the circumstances of exposure and use. Second, the bill requires EPA to specifically identify the sensitive subpopulations that are relevant to and within the scope of the safety assessment of a chemical substance in question. At the same time, EPA should identify the scientific basis for the susceptibility, to ensure transparency for all stakeholders. In this way, the legislation affords EPA the discretion to identify relevant subpopulations but does not require—or expect—that all hypothetical subpopulations be addressed.

While a principle element of this compromise is including protections for potentially susceptible subpopulations to better protect pregnant women and children, a concern I had was if it was first introduced by Senator Lautenberg and I was never to require the national standard to be protective of every identified subpopulation in every instance. If a chemical substance is being regulated in a condition of use that we know has no exposure to a subpopulation, EPA should apply the “unreasonable risk” standard appropriately. In addition, it is clear that the concept of low dose linearity is not firmly established by the science, and the concept is not appropriate to apply as a default in risk evaluations.

Mr. INHOFE. Thank you very much for that explanation, Senator VITTER.

Senator WHITEHOUSE. His leadership in the 112th Congress with the late Senator Frank Lautenberg, after whom this bill is named, has been paramount. The Lautenberg bill tries to address the concern about forcing paralysis by analysis in several ways. First, the bill establishes that ‘reasonable risk’ under the conditions of use as the safety standard to be applied by EPA. ‘Unreasonable risk’ does not mean no risk; it means that EPA must determine, on a case-by-case basis, whether the risks posed by a specific high priority chemical compound are reasonable in the circumstances of exposure and use. Second, the bill requires EPA to specifically identify the sensitive subpopulations that are relevant to and within the scope of the safety assessment of a chemical substance in question. At the same time, EPA should identify the scientific basis for the susceptibility, to ensure transparency for all stakeholders. In this way, the legislation affords EPA the discretion to identify relevant subpopulations but does not require—or expect—that all hypothetical subpopulations be addressed.

While a principle element of this compromise is including protections for potentially susceptible subpopulations to better protect pregnant women and children, a concern I had was if it was first introduced by Senator Lautenberg and I was never to require the national standard to be protective of every identified subpopulation in every instance. If a chemical substance is being regulated in a condition of use that we know has no exposure to a subpopulation, EPA should apply the “unreasonable risk” standard appropriately. In addition, it is clear that the concept of low dose linearity is not firmly established by the science, and the concept is not appropriate to apply as a default in risk evaluations.

Mr. INHOFE. Thank you very much for that explanation, Senator VITTER.

MERCURY-SPECIFIC PROVISIONS IN THE BILL.

Mr. WHITEHOUSE. Mr. President, we rise to highlight two mercury-specific provisions—the creation of a mercury inventory and expansion of the export ban to certain mercury compounds—in the Frank R. Lautenberg Chemical Safety for the 21st Century Act that the Senate will approve tonight. These provisions are sections of the Mercury Use Reduction Act that we introduced in the 112th Congress with the late Senator Frank Lautenberg, after whom this legislation is named, and with then-Senator John Kerry. Senator LEAHY and Senator MERKLEY have been longtime partners in these efforts. Senator LEAHY was a leader in the Senate’s consideration of a resolution of disapproval concerning the Bush administration’s mercury rule. I yield to Senator LEAHY.

Senator LEAHY. Mr. President, I thank Senator WHITEHOUSE. His leadership in this area has been paramount.

Under the mercury inventory provision, the EPA will be required to prepare an inventory of mercury supply, use, and trade in the United States every 3 years. Despite an EPA commitment in 2006 to collect this data, there is not yet any good data on mercury
supply and uses in the United States. This lack of data has impacted our ability to reduce health risks from mercury exposure and would compromise our ability to comply with the Minamata Convention on Mercury, which will come into force next year and to which the U.S. Government has agreed to become a party. When preparing the inventory, EPA shall identify the remaining manufacturing and product uses in the United States and recommend to federal law or regulations for addressing the remaining uses. The term “revisions” in this provision includes both new laws or regulations or modifications to existing laws.

To provide the data needed to compile the inventory, companies producing or importing mercury or mercury compounds will be required to report on this activity under a rule to be issued by the Administrator. To minimize any reporting burden, EPA must coordinate its reporting with State mercury product reporting requirements and the Interstate Mercury Education and Reduction Clearinghouse, IMERC. In addition, the provision excludes waste management activities already reported under the Resource Conservation and Recovery Act, RCRA, from this reporting, unless the waste management activity produces mercury via retorts or other treatment operations. A company engaged in both waste generation or management and mercury manufacture or use must report on the mercury manufacture and use activity, since that data would not be provided under the RCRA reporting. I yield to Senator MERKLEY.

Mr. MERKLEY. Mr. President, I thank Senator LEAHY.

The second mercury provision builds upon the Mercury Export Ban Act of 2008, expanding the export ban currently in effect for elemental mercury to cover compounds previously identified by EPA or other regulatory bodies as capable of being traded to produce elemental mercury in commercial quantities and thereby undermine the existing export ban. The mercury compound export ban would go into effect in 2020, providing EPA and companies ample preparation time. An exemption is provided to allow the landfilling of these compounds in Canada, a member country to the Organization for Economic Co-operation and Development, OECD, with which we have a bilateral arrangement to allow these cross-border transfers. The export is only authorized for landfilling; no form of mercury or mercury compound would be allowed under the law as needed. I have been happy to partner with Senator WHITEHOUSE and Senator LEAHY on these issues.

Mr. WHITEHOUSE. Mr. President, I thank Senator MERKLEY. We are pleased these provisions were included in a bill and believe it is fitting they are included in a package designed to protect the public from toxic chemicals like mercury, and named after the late Frank Udall, one of the original cosponsors of the Mercury Use Reduction Act.

The PRESIDING OFFICER (Mr. DAINES). The Senator from Oklahoma.

Mr. INHOFE. Mr. President, may I inquire as to how much time is remaining?

The PRESIDING OFFICER. There is 7½ minutes remaining.

Mr. WHITEHOUSE. I will yield the time.

The PRESIDING OFFICER. That is all the time remaining.

Mr. INHOFE. That is all the time remaining; is that correct?

The PRESIDING OFFICER. That is correct.

Mr. INHOFE. I will not use 7½ minutes, but I will be using that after the vote. I do want to include one more person who has not been thanked, and that is Senator MCCAIN.

Right now we are in the middle of the must-pass bill every year, the Defense authorization bill. He was kind enough to allow us to work this in during his very busy schedule on this bill, which we are trying to get through this week. So I do thank him very much. It is important, even though we thank the same people over and over again. When it gets to Dimitri, I am going to pronounce his name right, and I will be thanking him and several others. With that, I yield our time back.

I see the Senator from Massachusetts.

Mr. MARKEY. Will the Senator yield?

Mr. INHOFE. Of course.

Mr. MARKEY. I just want to once again compliment Senator INHOFE and Senator VITTER. It didn’t have to wind up this way. It wound up this way because you reached across the aisle, and that is Senator McCAIN.

I have not said thank you to Senator Udall. I want to do so now. I should have thanked him after the vote. I know he put a lot of time and effort into this bill, and I appreciate his work. I will just also—has the Senator finished?

I just wanted to say a few closing words and thank a few more people staying to the end, but of course the chairman needs to finish his remarks.

Mr. INHOFE. Let me just quickly say—because I do want to make sure we get on the record on this, Senators Vitter and Udall, certainly the Senator from New Mexico. The way we have worked together is remarkable. The work you have brought in, not only to get this work done, but to get things done, and I appreciate that very much.

Senator MCCAIN, I already thanked you for yielding to us to allow us to pass one of the most significant bills which we just passed by voice vote.

Mr. MCCAIN. I would be glad to be thanked again.

Mr. UDALL. I am ready to do that also, if the Senator will yield.

Mr. INHOFE. I yield the floor.

Mr. UDALL. I will yield the floor.

Mr. UDALL. I will also—has the Senator finished?

Mr. INHOFE. Mr. President, let me go through the list. As I made the statement, it is important that people recognize how long staff works around here. Quite frankly, I have often said, when they come around for a report from our committees—the Environment and Public Works Committee, the committee that has the largest jurisdiction in the entire U.S. Senate—we are the committee that gets things done. If we look at the variety of philosophies that are present praising this work that is being done, we had the very most conservative to the very most progressive of Members, and it is not just this bill. We did the highway reauthorization bill, something that had to wait for about 6 years to get done, the largest on the face of the planet. We had the WRDA bill, which we anticipate is going to be a reality. It has come out of our committee. This committee also has jurisdiction over the Nuclear Regulatory Commission and then all of the other works. As another member, Senator BOXER, has said several times during this process, we get things done.

Now, we do disagree on a lot of the issues on the environment. As I say to my good friends on the other side of the aisle, you have every right to be wrong, but we get things done, and I appreciate that very much.

Senator MCCAIN, I already thanked you for yielding to us to allow us to pass one of the most significant bills which we just passed by voice vote.

Mr. MCCAIN. I would be glad to be thanked again.

Mr. UDALL. I am ready to do that also, if the Senator will yield.

Mr. UDALL. I yield the floor.

Mr. UDALL. I will also—has the Senator finished?
BOOKER. A special thanks goes to Bill Ghent and Emily Spain with Senator CARPER. Senator CARPER has not been mentioned much tonight, but he has been very active in getting this done. Emily Enderle with Senator Whitehouse, Senators CARPER, to Whitehouse. Merkley, and Booker have been partners in getting this completed. Finally, I appreciate, as I have said many times before, Senator BOXER and her team, Bettina Poirier and Jason Albritton, for working so hard to get this bill. We have done not just this bill but a lot of bills in the committee, and these same characters keep coming up. So it is the staff who has driven this thing; I have to say, my chief of staff, the one most prominent on the committee, obviously did so much of the work on this. So, Ryan Jackson, you did a great job.

With that, I yield the floor.

Mr. UDALL. I thank the chairman. I just want to say to Chairman INHOFE, the bipartisanship he showed is incredible, and it showed what a significant accomplishment we could have.

I also want to thank so much Senator McCaskill, the two of us to fit a little slice here in the middle of this very important bill, the NDAA, which I know he works on all year long. He does a terrific job. He allowed us to come in.

He knew my uncle, Mo Udall. They served together in the House. I said: I hope you will do this for Mo. He just got a very big smile on his face because he spent so much time with him.

Mr. INHOFE. Will the Senator yield?

Mr. UDALL. I yield.

Mr. INHOFE. I save one of the best for last, and that is Alex Herrgott. I neglected to mention him.

Mr. UDALL. Of course. Alex, thank you.

Mr. President, I ask unanimous consent to use enough time here to just get through my thank-yous. The PRESIDING OFFICER. Without objection.

Mr. UDALL. The House and the Senate passed bills. We didn't actually go through conference committee, but we worked hard on those differences from late December through just a few weeks ago. We faced challenges working out a final agreement with the House. We had two very different bills. Both had broad bipartisan support, but they took very different paths to fix our broken chemical safety program, but we worked through those issues too. Although it was not a formal conference, it was a true bicameral process with a lot of give-and-take. To that end, I want to ensure the record reflects a number of views that I and some of my colleagues have about the final product.

We are not filing a traditional conference report, but Senators BOXER, MARKEY, MERKLEY, and I have prepared a document to enshrine the views we have on the compromised language. That will be added to the Record for posterity on our final product.

I thank all of our Senate and House colleagues who were instrumental in pulling this together. Again, Chairman INHOFE was a driving force, and Senators VITTER, CRapo, CAPITO, and Senators MERKLEY, MARKEY, and BOXER. Throughout this entire process, Ranking Member BOXER and I didn't always agree, but we felt an obligation to produce a law that would protect our children. She worked hard to improve this bill. The legislative process is an important one, and I believe it played out to a good resolution.

I also thank her and her staff, Bettina Poirier and Jason Albritton, for their dedication and work. Then, my staff members who have been mentioned here several times were crucial: Jonathan Black, Andrew Wallace, Mike Collins, Blanca Ortiz Wertheim, and all my staff who over these 3 years kicked in and helped. As you already knew, we had a den was on the folks I have mentioned.

On the House side, I thank Chairman FREED UPTON Subcommittees Chairman JOHN SHIMKUS, of course Leader PELOSI, Democratic Whip Hoyer, Ranking Member PALLONE, Representatives DEGETTE and GREEN. They all worked tirelessly to advocate for reform.

I would like to mention their staff members as well, the Republican staff, Dave McCarthy, Jerry Couri, Tina Richardson, Chris Sarley, and the Democratic staff, Rick Kessler, Jackie Cohen, Tuley Wright, Jean Frucci, and especially Mary Frances Repko with Representative HOYER's office, and Eleanor Bastion and Sergio Espinosa with Representatives DEGETTE's and GREEN's offices. All these staff and so many more worked tirelessly to advocate for their members and shape and move this complex and important legislation. This is an office staff, and many more whom I did not mention, many Senate and House staff who have come and gone over the long process but played very important roles. There are too many to try and list, but let me say thanks to the good folks at the House and Senate legislative counsel offices. Throughout this process, we used both offices a tremendous amount and appreciated their patience and good work, especially Michelle Johnson-Welde, Maureen Contreni, and Deanna Edwards at the Senate legislative counsel.

A law like this takes so much work from all these offices and staff. I know my own staff could not have possibly done it without the expertise and advice of the experts at the Environmental Protection Agency. Of course, Administrator Gina McCarthy and her top assistant, Administrator Jim Jones, deserve a great deal of gratitude for all they did to help support our efforts, and the hard work, and many congressional liaisons, program officers, and lawyers from the general counsel's office. My staff and others spent many evenings and weekends with EPA experts on calls to make sure we were getting the text right. Here are just a few: Wendy Cleland-Hammet, Ryan Wallace, Priscilla Flattery, Kevin McLean, Brian Grant, David Berman, Laura-Christine Distefano, Sven-Erik Kaiser, Tristan Brown, Ryan Schmit, Don Sadowsky, and Scott Sherlock. I thank them all and put them on alert: The real job for the EPA is only beginning.

I want to finish, Senator MARKEY. Mr. MARKEY. One second. I just wanted to reinforce what the Senator just said. On the House side, FRED UPTON, FRANK PALLONE, NANCY PELOSI, and STENY HOYER, that incredible staff, Mary Frances Repko, over there, just indispensable. That is why it happened. It is bipartisan, bicameral.

I thank the Senator for yielding.

Mr. UDALL. I thank the Senator. He knows that because he has been on the staff for many years, how important it is to have good staff. I want to make sure we get them thanked here. I appreciate that.

Implementation of this law is going to be extremely important. As the ranking member on the Appropriations Committee with jurisdiction over EPA, I will remain very involved in ensuring that this law gets implemented well.

Finally, I also recognize all the great advocates for reform who pushed Congress to keep pushing until we did act. Of course, I need to start by thanking the Environmental Defense Fund. In particular, Fred Krupp and his staff, Richard Denison, Joanna Slaney, and Jack Pratt. Let me also thank Dr. Lynn Goldman, the dean of Public Health at George Washington University, and the good advocates at Moms Clean Air Force, the Humane Society, the National Wildlife Federation, the March of Dimes, the Physicians Committee for Responsible Medicine, and any number of partners. They reminded us that we are working for reform that would improve the lives of countless mothers, fathers, and children. From New Mexico to Michigan, from California to Maine, they reminded us that the American people need a working chemical safety program.

I know there are many other groups in the environmental and public health community that took this as an approach to our bill. I understand and appreciate where they were coming from—groups like Safer Chemicals, Healthy Families, and the Natural Resources Defense Council. They brought passion and conviction to the debate that stood firm on principle. They played a great and important role, and I want to thank them for that.

Good legislation takes work. It takes give-and-take from everyone, including industry groups, the American Chemistry Council, the American Cleaning Institute, and over 100 other members of the American Alliance for Innovation. Thank you for engaging in the
process to get this done. Many thousands of Americans have worked for chemical safety reform over the last four decades. I am thanking you for not giving up.

My dad always said—and Senator McCain is the son of the late Senator Stuart Udall—“Get it done, but get it done right.” And today I can say that not only did we get it done, but we got it done right. Let’s not forget, this is just one step in the process. We must find a way to work collaboratively as we turn to the next step—implementation. Implementation needs to be done and needs to be done right.

I look forward to working with all of these members and groups to ensure we have a strong, workable chemical safety program.

Thank you, Senator McCain. I am sorry if this went longer than you expected. I know my Uncle Mo is looking down and saying thank you to you and my father Stewart and the long relationship you have had with the Udall family. I think it is a good example of the books you wrote about Mo Udall and that relationship. So thank you so much, and I thank also Ranking Member Jack Reed for his patience. I know the hour is getting late. Thank you so much.

I yield the floor.

Mr. McCain. Will the Senator yield?

I just wonder if there is anyone left in America whom he has not thanked.

Mr. Udall. I did my best.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. Reed. Mr. President, I call up amendment No. 4549 to McCain amendment No. 4229, and I ask unanimous consent that it be reported by number.

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

The Clerk will report the amendment by number.

The senior assistant legislative clerk read as follows:

The Senate from Rhode Island [Mr. Reed] proposes an amendment numbered 4549 to amendment No. 4229.

The amendment is as follows:

(Purpose: To authorize parity for defense and nondefense spending pursuant to the Bipartisan Budget Act of 2015)

At the end, add the following:

SEC. 1513. OTHER OVERSEAS CONTINGENCY OPERATIONS MATTERS.

(a) AMENDMENTS.—Section 101(d) of the Bipartisan Budget Act of 2015 (Public Law 114–74; 129 Stat. 587) is amended—

(1) by striking paragraph (2)(B) and inserting the following:

“(B) for fiscal year 2017, $76,796,000,000;”;

and

(2) by inserting after paragraph (2) the following:

“(3) For purposes authorized by section 1513(b) of the National Defense Authorization Act of 2016, $18,000,000,000.

(b) ADDITIONAL PURPOSE.—In addition to amounts already authorized to be appropriated or made available under an appropriation Act making appropriations for fiscal year 2017, there are authorized to be appropriated for fiscal year 2017—

(1) $2,000,000,000 to address cybersecurity vulnerabilities, which shall be allocated by the Director of the Office of Management and Budget among nondefense agencies;

(2) $1,100,000,000 to address heroin and opioid crisis, including funding for law enforcement, treatment, and prevention;

(3) $1,900,000,000 for function 150 to implement the integrated campaign plan to counter the Islamic State of Iraq and the Levant, for assistance under the Food for Peace Act of 2016 (22 U.S.C. 2155, et seq.), for assistance for Israel, Jordan, and Lebanon, and for embassy security;

(4) $1,400,000,000 for security and law enforcement needs including funding for—

(A) the Department of Homeland Security—

(i) for the Transportation Security Administration to reduce wait times and improve security;

(ii) to hire 2,000 new Customs and Border Protection Officers; and

(iii) for the Coast Guard;

(B) law enforcement at the Department of Justice, such as the Federal Bureau of Investigation and hiring under the Community Oriented Policing Services program; and

(C) the Federal Emergency Management Agency for grants to State and local first responders;

(5) $3,200,000,000 to meet the infrastructure needs of the United States, including—

(A) funding for the transportation investment generating economic recovery grant program carried out by the Secretary of Transportation (commonly known as “TIGER grants”); and

(B) funding to address maintenance, construction, and security-related backlogs for—

(i) medical facilities and minor construction projects of the Department of Veterans Affairs;

(ii) the Federal Aviation Administration;

(iii) rail and transit systems;

(iv) the National Park System; and

(v) the HOME Investment Partnerships Program authorized under title II of the Cranston-Gonzalez National Affordable Housing Act (12 U.S.C. 1701 et seq.);

(6) $1,900,000,000 for water infrastructure, including grants and loans for rural water systems, State revolving funds, and funds to mitigate hazardous materials, including a grant to Flint, Michigan;

(7) $3,498,000,000 for science and technology, including—

(A) $2,000,000,000 for the National Institutes of Health; and

(B) $1,498,000,000 for the National Science Foundation, the National Aeronautics and Space Administration, the Department of Energy research, including ARPA-E, and Department of Agriculture research;

(8) $1,900,000,000 for Zika prevention and treatment;

(9) $202,000,000 for wildland fire suppression; and

(10) $900,000,000 to fully implement the FDA Food Safety Modernization Act (Public Law 114–123; 124 Stat. 3586) and protect food safety, the Every Student Succeeds Act (Public Law 114–95; 128 Stat. 1802), the Individuals with Disabilities Education Act (20 U.S.C. 1400), the Workforce Innovation and Opportunity Act (29 U.S.C. 3101 et seq.), and for college affordability.

Mr. Reed. Mr. President, I look forward to a thoughtful debate tomorrow. Senator McCain has introduced an amendment that would increase spending with respect to the Department of Defense and related functions.

In this amendment, we are proposing an additional increase in non-defense programs. I look forward to tomorrow.

I thank the chairman for his consideration through the process of this floor debate.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. McCain. Mr. President, I thank my friend from Rhode Island and look forward to vigorous debate on both the initial amendment and the second-degree amendment proposed by my friend from Rhode Island. I would like to engage in very vigorous debate on both, and hopefully, for the benefit of my colleagues, cloture on both will be filed by the majority leader and hopefully we can finish debate on it either late morning tomorrow or early afternoon, if necessary, so we can move on to other amendments.

Let’s have no doubt about how important this debate and discussion on this amendment will be tomorrow. We are talking about $18 billion. In the case of the Senator from Rhode Island, I am sure there are numerous billions more as well. I think it deserves every Member’s attention and debate.

I say to my friend from Rhode Island, I certainly understand the point of view and the position they have taken, and from a glance at this, it looks like there are some areas of funding that are related to national security that I think are supportable. There are others that are not, but we look forward to the debate tomorrow, and hopefully any Member who wants to be involved will come down and engage in this debate. We would like to wrap it up tomorrow because there are a number of other amendments pending.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. Wyden. Mr. President, it was extraordinary to watch this bipartisan effort on TSCA.

An hour ago, Senator Peters and I thought we were going to have floor time for some brief remarks. I would like to ask unanimous consent that Senator Peters have the chance to address the issues he thought he was going to address, and he is going to be brief. I will go next. I will be brief. I ask unanimous consent that following Senator Peters’s remarks, I be allowed to address the Senate briefly.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Michigan.

Mr. Peters. Mr. President, I rise to thank Chairman McCain and Ranking Member Reed for their support and for their help in passing the Peters amendment No. 4138 to the National Defense Authorization Act. I also would like to thank Chairman McCain, Senators Danes, Tillis, and Gillibrand for joining me in this important bipartisan amendment. I would also like to thank all the
Members who cosponsored the amendment, including Senators Tester, Stabenow, Kilkenny, Sanders, Stabenow, Blumenthal, Boxer, and Chairman McCain.

We have far too many servicemembers who are suffering from combat-related conditions such as post-traumatic stress disorder or traumatic brain injury. Unfortunately, many of these servicemembers have received a less-than-honorable discharge, also known as a bad paper discharge. These former servicemembers can receive bad paper discharges for misconduct that is often linked to behavior seen from those suffering from PTSD, TBI, or other trauma-related conditions. The effects of traumatic brain injury can include cognitive problems, including headaches, memory issues, and attention deficits. In addition to combat-related injuries, PTSD and TBI can also be the result of military sexual trauma.

Bad paper discharges make former servicemembers who are suffering from service-connected conditions ineligible for a number of the benefits they have earned and have become ineligible when they need them the most. These discharges put servicemembers at risk of losing access to VA health care and veterans homelessness prevention programs. This is completely unacceptable.

I would like to share a story of a former servicemember who shared his experience with my office in Michigan. This individual was deployed in Afghanistan in 2008 as a machine gunner. For his performance overseas, he received a number of awards, including the Combat Action Ribbon, Global War on Terrorism Service Medal, Navy Meritorious Unit Commendation, Afghanistam Campaign Medal, Sea Service Deployment Ribbon, and the National Defense Service Medal. When he returned home, he began suffering from agitation, difficulty to sleep, blackouts, and difficulties with comprehension.

He was scheduled to be evaluated for TBI. However, that evaluation never occurred. He began drinking to help himself sleep and received an other-than-honorable discharge after failing a drug test. Following his discharge, the VA diagnosed him with TBI, and he began treatment.

The VA later determined he was ineligible for treatment due to the character of his discharge, and his treatment ceased immediately. He was later evaluated by a psychologist specializing in trauma management who determined that the behavior that led to his discharge was the result of his TBI and PTSD.

He petitioned the Discharge Review Board for a discharge upgrade and presented the medical evidence of both TBI and PTSD. However, the Discharge Review Board considered his medical evidence to be irrelevant and his petition was denied.

This Michigander has since experienced periods of homelessness and has had difficulty maintaining a job. This is an example of someone who is suffering as a result of service to his country, and yet the VA denied his request for benefits on the basis of this discharge. The Discharge Review Board denied his request to upgrade his discharge, despite his presenting clear evidence of his condition.

We must stop denying care to servicemembers with stories like this and start providing them with the benefits they deserve for their service. We have a responsibility to treat those who defend our freedom with dignity, respect, and compassion.

Last year I introduced the Fairness for Veterans Act, and the Peters-Daines-Tillis-Gillibrand amendment that was unanimously accepted by this body is a modified version of that bill. The Peters amendment would ensure liberal consideration will be given to petitions for changes in characterization of service to PTSD or TBI before Discharge Review Boards.

The Peters amendment also clarifies that PTSD and TBI claims that are related to military sexual trauma should also receive liberal consideration. I would like to thank the many veterans service organizations that advocated tirelessly on behalf of this amendment and legislation.

I would like to recognize the Iraq and Afghanistan Veterans of America, Disabled Veterans of America, Military Officers Association of America, the American Legion, Paralyzed Veterans of America, Vietnam Veterans of America, Vietnam Veterans of Foreign Wars, United Soldiers and Sailors of America, and Swords to Plowshares.

In addition to seeing strong support from these veteran service organizations, this has also been a bicameral effort. I would also like to thank Representatives Mike Coffman of Colorado and Tim Walz of Minnesota, who introduced the companion bill in the House and are supportive of this amendment. Senator Klobuchar and Senator Cory Booker, who are coping with the invisible wounds inflicted during their service and were subject to a bad paper discharge should not lose access to the benefits they have rightfully earned. That is why we must ensure that all veterans get the fair process they deserve when petitioning for a change in characterization of their discharge. The Peters amendment No. 4138 will do just that.

I am proud that today this body unanimously approved this important amendment that I authored with Senators Daines, Tillis, and Gillibrand. I look forward to working with my House colleagues to ensure this provision remains in the conference bill.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, as the Senate works on the Defense bill, it is important to note the shameful squandering of taxpayer money by a defense contractor accused of willfully exposing U.S. soldiers to toxic chemicals while they served in Iraq.

In 2003, courageous American soldiers, including members of Oregon’s National Guard, were given the task of protecting workers of Kellogg Brown & Root, KBR, at the Qarmat Ali water treatment plant in southern Iraq. Workers were deployed to save taxpayers from throwing good money after bad as the process drags on and on year after year.
The amendment isn’t an attempt to re-litigate the decision to indemnify contractors in the first place. What this commonsense amendment seeks to do is to make sure that the blank checks being picked up by taxpayers stop. This is critical because the government obligation to ensure that these legal bills don’t cost the taxpayers any more than necessary, and certainly the American taxpayer does not need to be padding the pockets of the lawyers of the contractors.

I urge my colleagues to support this amendment when it is considered later in the course of the day. With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. GARDNER. Mr. President, when I was growing up in the Eastern Plains of Colorado, one of the things I was hoping to do after graduating from college and entering the workforce was to work in the space program. I desperately wanted to be an engineer—an astronaut, I wanted to live that dream that was played on the television when I was a kid. I think even some of those movies such as “The Right Stuff.” When I was growing up in the mid-1980s, the movies they showed idealized the world of space exploration. I grew up idolizing the astronauts.

I can remember as a child writing a letter to the National Aeronautics and Space Administration, or NASA, and basically telling them that I was really interested in becoming an astronaut and how I could someday do that. Little did I know that my mom, all these years later, kept the response from NASA, and the letter had the old “worm” NASA logo on top. The response came with a picture of the most recent space shuttle mission, which included Sally Ride. Of course we know Sally Ride, the first female in the space shuttle program. I remember how excited I was to get that letter back.

Years later, I looked at the actual content of the letter and noted that they essentially quoted it as kind of confirming my aspirations when they laid out how difficult it would be to become a rocket scientist—to become an aerospace engineer and to go on and pursue that dream. And I’m not only referring to those who are here and beyond, but I always had great admiration and respect for the men and women of our space program.

Growing up on the Eastern Plains of Colorado was a fascinating experience. I learned how people ran their businesses and how today many of our tractor and combines rely on the very space programs that I was admiring. The roots of the space program that we saw in the 1970s and 1980s are being utilized today to steer tractors, satellite-guided equipment, to locate the best yield in a field through combinations that use global positioning systems and precision farming data to ensure that is is competitive. Of course, we have these debates today that remind me about those conversations. We have debates today over policy about how we are going to see the future of space, how we are going to see the future of security, how we are going to see the future of rocket launches in this country. It reminds me of the conversations that I had with those farmers in the Eastern Plains.

My family sells farm equipment today in a little, tiny town out by Kansas. Oftentimes farmers would come in and talk about how they would be more productive this year and what kind of equipment they needed to be tailored-made for their operation, how they would combine or farm with the farm equipment they would buy in order to have the right type of tractor, the right type of combine, or the right type of tillage equipment to meet the needs of their operation.

When they would come in and talk to us about what kind of farm equipment best fit their needs, they would look at what price range they had to deal with—what was more affordable or less affordable. They would look at the utility of the piece of equipment, could this tractor or combine meet all of their needs? Could it harvest corn and sunflowers? Could it harvest soybeans? Could it pick sunflower seeds? Could it pick up dried beans? Those are the conversations we would have.

What they didn’t do was come in and say: Hey, I want to buy a piece of equipment that costs 35 percent more than any other piece of equipment and doesn’t fit the needs of our operation. We sold red farm equipment. There may have been equipment that somebody would want to do that with, but the fact is this: When they came into our store, they wanted farm equipment that would fit their needs at the right price and was able to meet the demands of all of their operations so they wouldn’t have to use a tractor for this field and a different tractor for that field or pay for a tractor that costs 35 percent more over here and a tractor that didn’t fulfill all of their needs over there.

When I look at the debates today over the National Defense Authorization Act and how we are handling our Nation’s rocket program, the EELV programs—the debate that has occupied this Congress for a number of years—I think back to the common sense of the farmers that came in the High Plains of Colorado because what is common sense on the High Plains is just plain sense in Washington, DC, and that is why I am sending this to Congress today over what rockets we are going to allow this country to use in the future. That is the argument that we are making today. It is an argument about competition, it is an argument about costs, and it is an argument about what is actually going to fulfill all of our needs in space and not leave us without the capability to meet our national security space missions. This is the critical part of what we are talking about today. Just as those farmers on the Eastern Plains did—they talked about the best fit for their mission to make sure they could plant their crops, to make sure they could get the crops out of the field and do it in an affordable manner so they would still be in operation the next year despite the fact that they had historically low commodity prices, just as we are facing a historically tight budget in the U.S. Congress.

What we are talking about is our national security. It is not about tractors in a field, and it is not about whether we are going to have the right combo of rockets. This debate is about national security space missions. This debate is about having the right kind of rocket to launch a critical mission that might include a satellite on top that is for missile launch detection, or perhaps it is a rocket that is being sent into orbit a device that will listen and provide opportunities for us to know what is happening across the world or across the United States. Maybe it is something that is related to that organization that I was seeing, the National Aeronautics and Space Administration, NASA. Maybe it is the Dream Chaser from Sierra Nevada Corporation, which is attempting to build a vehicle that will be placed on top of one of the rockets that might be no longer available, should the current language of the National Defense Authorization Act move forward.

We have the same kinds of debates every day in our business, whether you are a farmer or a cab driver, this is about our security, this is about our defense, and this is about our ability to provide competition in space, to provide rockets that compete for business, to provide rockets that are cost effective for their mission, to provide rockets that are cost effective for their mission, to provide rockets that are cost effective for their mission. That is why Senator BILL NELSON of Florida and I have together worked on this. This amendment to join the debate today, to make sure that it comes to our ability to reach space, to reach the orbits that we need to, we can do it in a cost environment that reflects the reality of budgets today and do it in a way that we know can be reliable. This amendment to join the debate today about the best fit for our country to meet those critical missions that we talked about that are reliable and have a proven record. That is what we are doing today, and that is why Senator BILL NELSON of Florida and I have together worked on this amendment and why we are asking you to support this amendment to make sure that it comes to our ability to reach space, to reach the orbits that we need to, to do it in a cost environment that reflects the reality of budgets today and do it in a way that we know can be reliable. This amendment to join the debate today about the best fit for our country to meet those critical missions that we talked about that are reliable and have a proven record. That is what we are doing today, and that is why Senator BILL NELSON of Florida and I have together worked on this. This amendment to join the debate today, to make sure that it comes to our ability to reach space, to reach the orbits that we need to, we can do it in a cost environment that reflects the reality of budgets today and do it in a way that we know can be reliable. This amendment to join the debate today, to make sure that it comes to our ability to reach space, to reach the orbits that we need to, we can do it in a cost environment that reflects the reality of budgets today and do it in a way that we know can be reliable.
The Nelson-Gardner amendment assures competition. That is something we have all agreed is critically important as we look to the future of our space and launch programs. This addresses the certification of the Evolved Expendable Launch Vehicle, the EELV program, which certifies rockets. The Defense Department leadership testified to the need for additional RD–180 engines—that is the engine that we have been talking about that is stripped out of the Atlas V, ending the Atlas V program—to compete for launchers and to assure that the United States' most cost effective rocket, the Atlas V, has access to space, making sure we can get to where we need to go to place a satellite in the orbit it needs to be in to provide security for this country. We can do it with a reliable system at an affordable cost.

We talked about competition. The Nelson-Gardner amendment promotes competition by allowing the Defense Department to contract for launch services with any certified launch vehicle provider until December 2022. Allowing competition to 2022 and transitioning out of the RD–180 so that we can have more competition in the future.

The language we have been discussing I believe is section 1036 or 1037 of the National Defense Authorization Act—eliminates this competition. It puts an end to it by ending the use of these engines and basically taking out the Atlas V rocket. The Atlas V, again, is the United States' most cost effective and capable launch vehicle.

According to the Congressional Research Service, the Atlas V rocket, which is powered by the RD–180 engine, has had 68 successful Atlas V launches since 2006. The Atlas V has never experienced a failure, which is also important. The Nelson-Gardner amendment promotes competition, cost, reliability, and putting a satellite on top of a rocket—where many times that satellite costs more than the rocket itself—we can't afford a failure from a fiscal standpoint. Nelson-Gardner would allow a failure from a security standpoint. That is why we need reliability and a proven track record.

This debate is complicated. People are too often talking about the Atlas V, the Delta IV, and the Falcon 9. People ask: What does it all mean, which engine do we use, how do we transition, and why did we end up in this position in the first place?

There are a lot of people who have come to the floor on different issues, saying it is not rocket science, but, indeed, today we are talking about rocket science and the need to have an Atlas V rocket that provides competition, reliability, and the opportunity for new entrants into the rocket market. We have seen new entrants into rocket launchers—and that is what we are talking about today—to continue the competition, not lessen the competition by eliminating it, taking offline models of rockets and then spending $5 billion more.

We have already talked about the farmer sitting in the field. If he has a combine that could cost 35 percent more but does the same job as the one that cost 35 percent less, which one is he going to choose? Which one would his banker want him to choose? The American people would want us to go with what is proven and what is reliable. Let's transition off of it—you but not at an increased cost to our defense of $1.5 billion to $5 billion more.

To support this amendment and the rocket competition that this Nation deserves is what is fiscally conservative and legislation that assures that the U.S. Air Force and National Aeronautics and Space Administration will have access to space. It is about meeting the needs of those in our Air Force, NASA, and others who have said that we need this critical mission. As General Hyten testified before this Congress, the Department of Defense will incur additional costs to reconfigure missions to fly on a different rocket—the Delta IV—we have been talking about the Delta IV Heavy—because the competitor to the Atlas V doesn't have a rocket as capable as the Atlas V and can fly to only half of the necessary orbits.

In 2015 and 2016, the Air Force and the Defense Department leadership testified to the need for additional RD–180 engines—that is the engine that we have been talking about that is stripped out of the Atlas V, ending the Atlas V program—to compete for launchers and to assure that the United States' most cost effective rocket has access to space, making sure we can get to where we need to go to place a satellite in the orbit it needs to be in to provide security for this country. We can do it with a reliable system at an affordable cost.
not be using the RD–180 engine. It makes sense to me.

Promoting this open and fair competition to get the best deal for the taxpayers of this country—to get the best deal for national security needs in this fiscal year—is fiscally responsible. It makes sense to keep the competition. It is by keeping the competition that costs the taxpayer more, and maintaining competition. It is by keeping the Atlas V by stating, “We are counting on ULA being able to get the number of engines that will satisfy requirements for NASA to fly.” That is not a congressional staffer making it up. This is the Administrator of NASA. He went on to talk about the Dream Chaser, which was recently awarded a cargo resupply service contract. This isn’t pie-in-the-sky kind of stuff; this is a company that has already been awarded a cargo resupply service contract to supply the International Space Station.

The Dream Chaser was designed to fly atop the Atlas V rocket. The language of the NDAA would strip this ability to use that rocket. Our amendment, the Nelson-Gardner amendment, would allow us to use the commonsense approach, to use that plain sense that I talked about.

Paul Grifffen, former NASA Administrator, weighed in on the issue, stating:

A carefully chosen committee led by Howard Mitchell, United States Air Force, Retired, made two key recommendations in the present matter: 1. Proceed with all deliberate speed to develop an American replacement for the Russian RD–180 engine [and we agree], and while that development is being carried out, buy all the RD–180s we can to ensure that there is no gap in U.S. access to space for national security payloads, I see no reason to alter those recommendations.

We are talking about a hard stop of 2022 so that we can replace the rocket with our own. But in the meantime, let’s use some common sense. Let’s make sure we are saving the taxpayer dollars. Let’s make sure not putting an additional cost—pulling $1.5 billion out of our defense budget to cover something that we can already do when their resources are already far too scare. Let’s make sure we have a reliable platform to reach all of the orbits we need to. A platform that has had 68 consecutive launches to achieve the mission needs. This is high-risk stuff. I mentioned as a kid growing up in the Eastern Plains of Colorado how fascinated I was with this rocket science.

I believe this body has a responsibility to adopt the Nelson-Gardner amendment to assure that we can protect our people fiscally and from a defense standpoint. So later this week, as we debate and offer amendment 4509, I hope and encourage everyone to do what is fiscally responsible, to promote competition, to promote access and reliability from the DOD to NASA by adopting the Nelson-Gardner amendment.

I yield the floor.

Mr. MERKLEY. Mr. President, I suggest the absence of a quorum.
from $970 million annually in 1980 to costs in our Federal prison system now.

This epidemic. It didn't work then, and States, but these laws did not prevent "and you're out" laws in response to the epidemic. It didn't work then, and mandatory minimums before. In the amendment is not part of the solution. Secondly, this amendment and ones like it will divert critical resources that could be, that should be, that must be invested in real solutions, in the shredding reality—an opioid epidemic in America. I know what this epidemic is doing to our communities.

In my home State of New Jersey, the heroin death rate is more than three times the national average. The heroin overdose rate in New Jersey now eclipses that of homicides, suicides, car accidents, and AIDS as a leading cause of death. Over the past 10 years, we have largely failed to help the people under the age of 30 to heroin overdoses in New Jersey alone.

I know that nationally death rates from prescription opioid overdoses have tripled in the last 20 years. I know that the opioid epidemic knows no bounds. It crosses geographic lines, economic lines, and racial lines. This is an epidemic that is tearing apart families, individuals, and communities.

This is an American epidemic, but this amendment is not part of the solution. First of all, mandatory minimums themselves have proven to be ineffective in making us a safer Nation and stopping the drug war.

Secondly, this amendment and ones like it will divert critical resources that could be, that should be, that must be invested in real solutions, in supporting preventive and education efforts, in supporting law enforcement, in support treatment programs.

We have seen a rush like this toward mandatory minimums before. In the 1980s and 1990s, we piled on mandatory minimum sentences and “three strikes and you’re out!” laws in response to the growing drug problem in the United States, but these laws did not prevent this epidemic. It didn’t work then, and there is no reason to expect it to work now.

What did the war on drugs do? Well, it increased our Federal prison population by 600 percent since 1980 alone. The laws ended up increasing the costs in our Federal prison system from $970 million annually in 1980 to $6.7 billion in 2013, a close to 600-percent increase in the use of taxpayer dollars.

According to Pew, the Federal prison system uses $1 in $4 spent by the Department of Justice. This is unacceptable.

In fact, in my first meeting with then-Attorney General Eric Holder in his office after I was elected Senator, he shared with me how the Bureau of Prisons had become so depleted that he had limited resources to put toward other Department of Justice programs—initiatives such as hiring FBI officers and support for programs that we actually know will make our communities safer.

What is more, these laws did not work. They didn’t target those whom they were supposed to target. Mandatory minimum sentences weren’t responsible for reducing crime. The work of law enforcement and the utilization of data-driven policies are what have done that. A report from the Brennan Center found that “increased incarceration has been declining in its effectiveness as a crime control tactic for 30 years. The drug crime rates since 1990 has been limited, and has been non-existent since 2000.”

Experts have found that mandatory minimum sentences have no demonstrable marginal effect on deterring crime, and it is also the reason why police leadership across the country are speaking out against increasing these mandatory minimums. Former New York Police Commissioner Bernie Kerik spoke out earlier this year to say: “The reality is that the federal mandatory minimum sentences established in the early 1980’s has had little, if anything, to do with the various state and city violent crime and murder statistics in America.”

I know this. I ran a police department as a mayor and oversaw the functioning of an incredible group of professionals. Had we had more resources from the Federal Government—instead of going in and imposing proposals—to actually hire more police officers, to put more of them in the streets, had we had more resources for drug treatment, had we had more resources for doing things such as reentry programs, we could have better fought crime, rather than wasting more money on ineffective mandatory minimum sentences.

Since 1990, as the onslaught of these mandatory minimums have come, illegal drug use in the U.S. has actually increased.

To pay for the overincarceration explosion, Congress has increased spending on Federal prisons by 45 percent since 1998. But over that same period, Congress has cut spending on State and local law enforcement by 76 percent. In fiscal year 2015, the Federal Government spent over $2.3 billion warehousing people who received lengthy mandatory minimums, and that is money that could be invested elsewhere.

Mandatory minimums, if we remember our history, were created to go after drug kingpins. However, the U.S. Sentencing Commission has found that they too often apply to every function within a drug organization, from mules and couriers to low-level street offenders. By the way, when low-level offender of the arrested and incarcerated mandatory minimum sentences, they are simply replaced by other low-level dealers. The strategy does not work in making us safer, but it is costing us so much money.

This is contrary to the original vision of mandatory minimums. They were created to go after serious drug traffickers and kingpins. The U.S. Sentencing Commission found that mandatory minimums are often applied too broadly, set too high, and—what is worse—that they are unevenly applied.

In other words, people who can afford lawyers, people who have resources and means, can fight against those laws, and people who cannot afford the best defense often are the ones who get mandatory minimums.

Who is going to get mandatory minimums? People on college campuses, such as the one I attended, or people in the city I now call home—my community-shattering reality—an abuse and heroin use epidemic.

What have these laws done? They have imposed an 800-percent increase in our Federal prison population over the last 30 years. What have these laws done? They have imprisoned too many nonviolent Americans for decades for nonviolent, low-level drug crimes.

What have these laws done? They have imprisoned people such as Sherman Chester, who with two prior nonviolent drug arrests was convicted and sentenced to life in prison for a third nonviolent drug crime. At his sentencing, Mr. Chester’s lawyer said: “This man doesn’t deserve a life sentence, and there is no way that I can legally keep from giving it to him.”

What have these laws done? They have imprisoned mothers such as Alice Johnson, who, after losing her job and filing for bankruptcy, began to associate with people involved in drug dealing. She was arrested for her participation in transporting drugs as a go-between. When 10 of her coconspirators testified against her for reduced charges, she was sentenced to life in prison without parole for 25 years for that nonviolent drug crime.

What have these laws done? They have imprisoned people like Dicky Jackson, a father who was so desperate to save his 2-year-old child who needed a bone marrow transplant that, after exhausting his options—including community fundraisers—he began transporting meth in his truck. A year into his work, he was arrested for selling a half pound of meth to an undercover officer. He was found guilty of possession...
with intent to distribute and was given three life sentences without parole.

The Federal prosecutor assigned to Mr. Jackson’s case remarked: “I saw no indication that Mr. Jackson was violent, that he was any sort of large-scale drug trafficker, or that he committed his crimes for any reason other than to get money to care for his gravely ill child.”

What these laws have done is make sure that these nonviolent offenders and the many others just like them will end up in prison for their crimes—taking money from our communities and imprisoning people into their fifties, sixties, and seventies for nonviolent crimes. They are redirecting taxpayer dollars from strategies in our neighborhoods, in our cities, and in communities that we know work and will actually get to the problem of drug abuse. Our system hasn’t empowered people. It hasn’t empowered them to deal with addictions. It hasn’t empowered them with mental health challenges. Our system, as it stands, hasn’t empowered us to do the things we know make us safer.

This has been punishment without proportionality, retribution without reason, and grossly expensive that takes away money that could be invested in public safety and our community well-being.

If the failed war on drugs, the Anti-Drug Abuse Act of 1986, and the Violent Crime Control and Law Enforcement Act of 1984 have taught us anything, it is that locking more people up for longer and longer sentences for low-level drug crimes at the expense of billions and billions of taxpayer dollars does not curb drug use and abuse. These laws didn’t work then. Why are we proposing new ones now?

There is a different way. More mandatory minimum sentences won’t impact the fentanyl opioid problem. The mandatory minimums being proposed for low-level drug offense are not going to accomplish what the amendment supporters hope it will. It is a facade that makes people feel like they are doing something about the problem, but they are not making a difference.

What they will do is throw more taxpayer dollars at our Bureau of Prisons, expanding that bureaucracy and draining money—taxpayers’ money—from solutions that we know will work.

What is frustrating to me, what is actually deeply frustrating to me is that we have two pieces of bipartisan legislation, one that has passed without enough funding and one that has yet to be brought up for a vote that would address this epidemic and the broken criminal justice system.

Instead of turning to bipartisan legislation that is going through regular order and investing in strategies that this body, in a bipartisan fashion, has agreed with near unanimity would work, we are now considering an amendment that would spend more money on imprisoning low-level offenders for longer and longer sentences.

Earlier this year, the Senate passed the Comprehensive Addiction and Recovery Act of 2015, also known as CARA. It is a bipartisan bill that would allow the Attorney General to award grants to address the opioid epidemic and expand prevention and education efforts.

I was pleased to cosponsor that bill, but unfortunately the amendment that would have provided funding for the programs and grants in this bill failed to pass. A few weeks later, the Senate did what it had the right intentions, but an unwillingness in this body to provide robust funding means that it simply won’t address the epidemic adequately. That is what is frustrating to me. The Members of this body who refused to increase funding for preventive and treatment measures through CARA now want to divert taxpayer resources towards putting people in jail for longer and longer sentences for low-level, nonviolent crimes. That makes no sense—tens of millions of dollars to lock up low-level offenders and starve the programs that local leaders all over this country are asking for, such as treatment, education, and local law enforcement.

If properly funded, CARA would expand prevention initiatives, would expand education efforts, and would curb abuse and addiction, hitting our Nation’s problem at its heart—at its demand—and helping addicts with what they need most—treatment, not more jail. It would expand the availability of naloxone to law enforcement. It would increase resources to identify and treat incarcerated Americans suffering from drug addiction. It would increase disposal sites for unwanted prescription medications and would promote best practices for evidence-based opioid and heroin treatment and prevention all over our country.

This bipartisan bill had wisdom in it. It was evidence-based, based on evidence-based strategies. But now, here we are, not talking about investing in what we know will work but suggesting that we do things that have proven over the last two decades not only not to work but to drain taxpayer dollars and to do more harm.

We are considering an amendment that would use taxpayer resources not to do the things I just listed that are under-funded right now but would spend money on incarcerating low-level drug offenders to increase mandatory minimum sentences.

The fact is the opioid epidemic is not a problem we can jail our way out of. We already have mandatory minimum sentences in place for heroin and fentanyl offenses, and they haven’t done what they were created to do—to prevent an epidemic such as this from occurring. What this amendment does is to double down on that fail strategy.

In fact, for over a year, Senate Judiciary Committee members on both sides of the aisle have worked on crafting a bill, the Sentencing Reform and Corrections Act, which would take meaningful steps toward undoing so much of the damage these failed policies have caused over the past decades. That bipartisancriminal justice reform legislation, which worked through regular order and would reduce mandatory minimum penalties and give judges more discretion at sentencing, has been pending on the Senate floor for over 7 months now without Senate action.

This bill followed regular order. It moved through a hearing and a markup. It took in testimony from dozens of experts and organizations. It was adjusted and amended with input from law enforcement officers, attorneys general, prosecutors, civil rights leaders, and local elected leaders. It passed out of the committee. It was then, because of input from other Republican Senators, changed again and modified. What a growing consensus is for a vote on the floor. If given that vote, it would most likely get a super majority in this body.

But today, instead of moving forward on that bipartisan, compromise piece of legislation—which would start to fix the failed drug policies of the 1980s and 1990s, which would save us money, which would help us right past wrongs, which would create resources through its savings that could be used for the Comprehensive Addiction and Recovery Act—we are now considering an amendment that would actually build on the mistakes of the past and divert money from the solutions we know work today.

So again I say that I am frustrated, I am angry, and I am beginning to grow disheartened by the current state of affairs. The amendment being proposed and its potential consequences are what a growing consensus is for a vote on the floor. If given that vote, it would most likely get a super majority in this body.

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potential of millions of Americans and drains billions, trillions of taxpayer resources over time.

What we have in the Senate is amazing. It has been incredible to see. We have Senators as different from each other as the political pole as Senator LEAHY and Senator GRASSLEY, with other Democrats and Republicans, from the most liberal to the most conservative in this body, coming together to craft a measured bill that would begin to fix our deeply broken criminal justice system. This result, the Sentencing Reform and Corrections Act, would enable prosecutors and judges to maintain critical tools for prosecuting violent offenders and high-level drug traffickers while reducing mandatory minimums and life-without-parole sentences for nonviolent drug offenders.

In addition, the bill actually includes a provision related to sentencing—clearly not one that I necessarily believe in or believe is most effective, but it was included in the bill as a compromise measure.

This critical piece of legislation has the support of dozens of civil rights groups and faith groups, Christian evangelicals and law enforcement and prosecutor groups, including well-respected organizations such as the Law Enforcement Leaders of America, the International Association of Chiefs of Police, and the National District Attorneys Association. From law enforcement to faith-based leaders, civil rights activists, and fiscal conservative organizations, so many have come together and are being led in many cases by law enforcement officials because they know this bill is actually smart public safety policy. This bill has the support of law enforcement leaders, including former President George W. Bush’s U.S. Attorney General, Michael Mukasey; former FBI Director Louie Freeh; and the U.S. Department of Justice.

In a letter to Senate leadership from former U.S. Attorney General Michael Mukasey, with former Director Bill Sessions and dozens of former Federal judges and U.S. attorneys, shared what they believe the Sentencing Reform and Corrections Act can do. They said it “is good for Federal law enforcement and public safety. It will more effectively ensure that justice shall be done.”

Groups like Law Enforcement Leaders to Reduce Crime and Incarceration, which consists of more than 180 current and former police chiefs, U.S. attorneys, and district attorneys, have spoken out in support of this bill, arguing:

This is a unique moment of rare bipartisan consensus on the urgent need for commonsense criminal justice reform. As law enforcement leaders, we want to make it clear where we stand: Not only is passing Federal mandatory minimums to reduce incarceration, it is also necessary to help law enforcement continue to keep crime at historic lows across the country. We urge Congress to pass the Sentencing Reform and Corrections Act.

Contrary to what the few opponents argue, this act would preserve certain mandatory minimum sentences for drug offenders. It would also more effectively target these mandatory minimums toward high-level drug traffickers and violent criminals. Federal drug laws were meant to go after these kinds of cases, and the legislation leaves important tools in place that allow prosecutors to go after them.

Also, contrary to what the few opponents of this bill argue, the bill would not open the floodgates and permit violent offenders to be let out of prison early; rather, each case must go in front of a Federal judge, where the prosecutor will be present, for that independent judicial review.

Experts from the National Academy of Sciences to the National Research Council have found that lengthy prison sentences have a minimal impact on crime prevention.

The profound thing about this bill is that it is not breaking new ground. This is not new common knowledge around the States. In fact, it is being followed and led by many red States in our Nation. In fact, States have shown that we can reduce the prison population, save taxpayers millions and billions, and also reduce crime. Texas, for instance, between 2007 and 2012, reduced its incarceration rate by 9 percent and saw its total crime drop by 16 percent. If Texas—a State known for law and order and being tough on crime—can enact sweeping measures to reform its criminal justice system, so can we at the Federal level. That is why I am proud that one of the sponsors of the bill is the Republican Whip from Texas, Senator CORNYN.

But there are other States—California, Connecticut, Delaware, Georgia, Maryland, Michigan, Nevada, Massachusetts, North Carolina, South Carolina, Utah, and New Jersey. All these States have lowered their prison populations through commonsense reforms and—surprise, surprise—have seen crime drop. These States have enacted reforms because it is good for public safety and it saves needed taxpayer dollars that can be reinvested in public safety programs. In addition, they show that it is in the State’s interest to make sure that our government is run in a cost-effective manner.

There’s a great conservative organization called Right on Crime. This is what they had to say about public safety and criminal justice reform:

Taxpayers know that public safety is the core function of government, and they are willing to pay for it when they take to keep communities safe. In return for their tax dollars, citizens are entitled to a system that works. When governments spend money inefficiently and do not produce desired results, they waste taxpayer dollars. Taxpayers are entitled to a system that does not waste money.

It is worth repeating that line: “Citizens are entitled to a system that works.”

You see, this is not a partisan issue; it is an American issue. There is a chorus calling for reform across the political spectrum. Everyone from Republican candidates for President to conservative groups, such as Koch Industries and Americans for Tax Reform, have come out in support of criminal justice reform and this bill. That is important. But even President Obama and Former Governor Mike Huckabee have written:

Some Republicans who have not focused on our successes in the states think we are still living back in the 1980s and also believe that “lock them up” is a smart political war cry. . . Wasting money is not a way to demonstrate how much you care about an issue.

That is why people like Marc Levin, the founder of Right on Crime, have shared that “the recent successes of many States in reducing crime, imprisonment, and costs through reforms grounded in research and conservative principles provide a blueprint for reform—at the Federal level.”

Former Governor Mike Huckabee said:

I believe in law and order. I also believe in using facts, rather than fear, when creating policy. And, I believe in fiscal responsibility. Right now, our criminal justice system is failing us in all three areas.

Republicans and Democrats from across the political spectrum have come together because they realize our failures to fix this system have simply cost us too much already. Everyone knows that the first rule of holes is that when you find yourself in one, stop digging. That is why this amendment is so frustrating—because it seeks to dig us deeper into a hole. Look at the financial costs we are already paying. In 2012, the average American taxpayer was contributing hundreds of dollars a year to corrections expenditures, including the incarceration and monitoring and rehabilitation of prisoners.

A report from the Center of Economic Policy Research concluded that in 2008 alone, formerly incarcerated people’s employment losses—keeping people in for decades and decades—cost our economy the equivalent of 1.5 to 1.7 million workers or $57 billion to $65 billion annually. And it is estimated that the U.S. poverty rate between 1980 and 2004 would have been 20 percent lower if it had not been for all this mass incarceration. This is a lot of money we are spending keeping people behind bars—nonviolent offenders—and it is taking a significant financial toll in our country. We could be investing this money better.

By passing this bipartisan Sentencing Reform and Corrections Act, the CBO told us that this one bill alone that takes modest steps toward criminal justice reform will save an estimated $318 million in reduced prison costs over the next 5 years and $722 million over the next 10 years. Doing the hard work of what we can then invest in strategies to make ourselves safer or give back to the taxpayers.
Please understand that we have paid dearly for our mistakes. For example, from 1990 to 2005, a new prison opened every 10 days in the United States, making us the global leader in this infrastructure investment. A new prison opened every 10 days in the United States to keep up with the massive explosion in incarcerations. Imagine the roads and bridges and railways we could have been investing in during that time. As our infrastructure has been crumbling over the last three decades, the overuse of infrastructure that has been ballooning was gleaming new prisons to actually incarcerate overwhelmingly nonviolent offenders. 

Imagine the investments we could have made in lifesaving research, innovative technologies, science and math funding. Instead, we extended mandatory minimums again and again and again for low-level drug offenders.

The United States must be the leader around the globe for liberty and justice. Unfortunately, the United States now leads the world in a vastly more dubious distinction: the number of people we incarcerate. We only have 5 percent of the world population—only 5 percent—but one out of four imprisoned in the United States. Again, the majority of those people are nonviolent offenders. The U.S. incarceration rate is 5 to 10 times that of many of our peer countries.

The financial cost, the dollars wasted, are only part of the story, though. We are actually paying for our system's failures in innumerable ways. The hidden financial costs of our broken prison system mirror the hidden social costs that befall families of those incarcerated, with 1 in 28 American children—or 3.6 percent of American kids—growing up with a parent behind bars. Just 25 years ago, it was 1 in 125 American children. I recently saw a video of a “Streetz” program and programming specifically aimed at helping kids with parents in prison because there are now so many of them. Over half of imprisoned parents were the primary earners for their children prior to their incarceration. What is more, a child with an incarcerated father is more likely to be suspended from school than a peer without an incarcerated father—23 percent compared to 4 percent.

Our rush to incarcerate as a response to many of our societal problems has now created a stunning distinction. According to a new report from the Center for American Progress, close to half of all children in America are growing up with a parent with a criminal record.

Our system often entraps the most vulnerable Americans. We are entrapping people who often are in need of incarceration but treatment and medical help, putting those vulnerable populations in jail for longer and longer periods. In fact, now many of our prisons serve as warehouses for the mentally ill. Serious mental illness affects an estimated 14.5 percent of men and 31 percent of all the women in our jails. Between 25 and 40 percent of all mentally ill Americans will be jailed or incarcerated at some point in their lives, and 65 percent of all American inmates meet the medical criteria for the diseases they suffer from not getting the treatment they need but just getting more incarceration.

Today we live in a country where in many ways the words of Bryan Stevenson make a lot of sense. This idea of equal justice under the law is challenged by the facts of our criminal justice system. As Bryan Stevenson said, we live in a nation where you get treated better if you are rich and guilty than if you are poor and innocent. Over 80 percent of Americans who are charged with felonies are poor and deemed indigent by our court system.

Our criminal justice system doesn't disproportionately affect just the mentally ill, the addicted, and the poor: it disproportionately impacts people of color. We know that there is no deeper proclivity to commit drug crimes among people of color, but there is a much deeper reality that the drug laws affect people of color in a different way. For example, Black and Whites have no difference in using or selling drugs. There is no statistical difference. In fact, right now in America, some studies are showing that young White men have a slightly higher rate of drug use than the young Black men. But Blacks are 3.6 times more likely to get arrested for selling drugs. Latinos are 28 percent more likely than Whites to receive a mandatory minimum penalty for Federal offenses punished by such penalties. A 2011 report found that more than any other group, Latinos in America were convicted at a higher rate of offenses that carried a mandatory minimum sentence. And Blacks are also 21 percent more likely to receive a mandatory minimum sentence than Whites facing similar charges. Black men are given sentences about 20 percent longer than White men for similar crimes. And Native Americans are grossly overrepresented in our criminal justice system, with an incarceration rate 38 percent higher than the national average.

Because minorities are more likely to be arrested for drug crimes even though the rates are not different in use of drugs or exposure to drugs, they are more—disproportionately—likely, therefore, to lose their voting rights, thus resulting in stunning statistics. Today, 1 in 13 Black Americans is prevented from voting because of felony disenfranchisement. Black citizens are four times more likely to have their voting rights revoked than someone who is White.

Those are statistics befitting a different era in American history, but unfortunately, they reflect our current circumstances.

So here we find ourselves. I have been talking about this issue for my entire time in the Senate. Many of my colleagues have been working on this issue longer. I have been so encouraged that literally my first policy conversation on the Senate floor right after being sworn in right there by the Vice President of the United States—I was backstage while so much work has gone on to move this body ahead.

I have come to believe in this body. I worked hard to become a Member of the Senate because I believe in the Senate and the power of this institution to do great things. In fact, it is the result of the great good of this body and the labor and struggles of so many Americans that I am even here in the first place, so many Americans fighting for issues that this body has championed, so many Americans through so many generations, has so much to be proud of.

I am so encouraged by colleagues on both sides of the aisle, that despite the partisanship and cynicism this body often generates, we have found common ground to advance the common good around our criminal justice system. We have a crisis in that system, but I am proud there is movement to address that.

I urge my colleagues to consider the profound potential we have to advance our Nation, to deal with the opioid crisis, the drug crisis, and the crisis in justice with smart and effective policies that have proven to work already at the State level.

I urge my colleagues to resist the seductive temptation to claim to be tough on crime when in reality we are just wasting taxpayer dollars on a failed fiction that obscures the true urgency of the day.

Finally, I urge the leadership of this body to not let this amendment reflecting failed policy of the past to the floor and instead move to bring forward a bipartisan, widely supported bill that lifts the current restrictions that we can no longer hesitate or equivocate, and we can definitely not afford to retreat. Wasting more time is not the answer. The time is now, and, I confess, I am losing patience.

While I am encouraged by leaders like the chairman of the Judiciary Committee and the ranking member of that committee, while I am encouraged by the fact that the majority whip and the Democratic Whip are on this bill, while I am encouraged by the fact that the supermajority of support exists for this bill, I am growing impatient that it has not come to a vote yet. There is nothing as painful as a
blockage at the heart of justice, blocking the flow of reason, of common-sense, fairness, and urgently needed progress.

But the pain and frustration I might feel if criminal courts told those who are suffering under the brunt of a broken system. We cannot be deaf to the cries for justice of families and children, those suffering addictions, those suffering from mental illness, and those who have lives have been torn apart by such misfortunes. We cannot be mute or silent in the face of injustice, those of us who are elected to serve all Americans.

At the beginning of each day, we swear an oath in this body. We pledge allegiance to those ideals of liberty and justice. Let us now act so we do not betray the moral standing of our Nation. I urge the Senate leadership to bring the Sentencing Reform and Corrections Act for a vote. The time is right now to do what is right now.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The majority leader.

CLOTURE MOTION

Mr. MCDONNELL. Mr. President, I send a cloture motion to the desk for the Reed amendment No. 4549.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the amendment No. 4549 to the McCain amendment No. 4229 to S. 2943, an amendment by Senator McCain to the National Defense Authorization Act.


CLOTURE MOTION

Mr. MCDONNELL. Mr. President, I send a cloture motion to the desk for the amendment No. 4229 to S. 2943, an amendment by Senator McCain to the National Defense Authorization Act.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Senate, do hereby move to bring to a close debate on the amendment No. 4229 to S. 2943, an act to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.


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

Mr. LEAHY. Mr. President, the Senate’s final passage today of the bipartisan Frank R. Lautenberg Chemical Safety for the 21st Century Act, after 3 years of difficult negotiations, reflects the true nature of compromise. I am glad that we have finally come to an agreement to update our country’s ineffective and outdated chemical regulatory program. While this is not a perfect bill, I believe that it goes a long way towards protecting American families from dangerous chemicals and serves as a fitting tribute to Senator Lautenberg, who was a tireless public health advocate.

This legislation overhaul the 40-year-old, outdated Toxic Substances Control Act and will bring more than 60,000 chemicals under review of the U.S. Environmental Protection Agency, EPA. Under the old law, the EPA was required to approve chemicals using a burdensome and ineffective economic cost-benefit analysis, but this reform bill will require the EPA to make a decision based solely on health and safety concerns. Additionally, the Lautenberg act gives the EPA enhanced authority to require testing of both new and existing chemicals, requiring safety reviews for all chemicals in active commerce and a safety finding for new chemicals before they are allowed on the market.

The House bill originally included a provision preempting State authority to regulate specific chemicals. State preemption is a significant concern for Vermont, especially with the discovery of perfluorooctanoic acid, PFOA, contaminated water in the communities of North Bennington and Pownal. Unfortunately, due to shortcomings in the 1976 Toxic Substances Control Act, PFOA was one of many chemicals that had been presumed safe without any requirement for testing or review. While
the inclusion of even minimal State preemption action in the final bill is unfortunate, the final compromise largely retains the Senate bill’s provisions and allows States 12 to 18 months to enact tougher regulations through a waiver process after the EPA formally announces that it has started the review process for a chemical. There have been assurances to the Vermont congressional delegation from the EPA that Vermont will be able to retain its more stringent regulation of PFOA. I will be working with both the State and with the EPA to address PFOA contamination in Vermont.

I am pleased that the final bill includes two mercury-specific provisions: The creation of a mercury inventory and the expansion of the export ban to certain mercury compounds. These provisions are sections of the Mercury Use Reduction Act that I was proud to cosponsor in the 112th Congress. Under the mercury inventory provision, the EPA is directed to prepare and periodically update an inventory of mercury supply, use, and trade in the United States every 3 years. This data will enhance our ability to reduce the health risks from mercury exposure. The second mercury provision builds upon the Mercury Export Ban Act of 2008, expanding the export ban currently in effect for elemental mercury to include certain mercury compounds that could be traded to produce elemental mercury in commercial quantities, thus undermining the existing export ban.

This reform bill also includes new unprecedented transparency measures thanks to new limits imposed on what can qualify as “confidential business information.” The transparency provisions also ensure that State officials, medical professionals, and the public have access to health and safety information. In addition, the bill places time limits and requires justification for any “confidential business information” that must also be fully justified when made and will expire after 10 years if they are not re-substantiated.

Like many Vermonters, I have been concerned for years about the need to improve chemical safety standards in the United States. While I had hope for more reforms in the bill, overall, the bill is a significant improvement over current law. It is a true testament to the groundwork laid by Senator Lautenberg that we have finally heeded the calls from the American people to reform this outdated law and better protect our families from dangerous chemicals.

SANTIEL MICHAEL’S COLLEGE COMMENCEMENT ADDRESS

COLCHESTER, VERMONT: MAY 15, 2016

FREDERICK M. BURKLE, JR., MD, MPH

PHYSICIAN, SCHOLAR, HUMANITARIAN

Greetings to all!

There are a few reasons to celebrate this day. This graduation is a milestone for you and your entire family.

Saint Michael’s also needs to be celebrated and commended. As an academic, I do not know of any other college or university this year, or in recent memory, that has shown both the insight and courage to declare “Service to Others” as the theme of graduation. Only at Saint Mike’s! ... I’m not surprised!

The implications of this decision are many and must be applauded ... Most importantly it brings great hope and wisdom for the future of this generation and those that follow.

I have been asked to speak to you on what in my life and college experiences influenced my humanitarian career. My first concern when asked was: How does someone who graduated in 1961, 55 years ago, tell his story to the class of 2016? ... Let’s give it a try.

In truth, I do not know me in high school you would have voted me the “least likely graduate to ever give a commencement address.”

I attended an all male Catholic High School in Southern Connecticut. I was painfully shy, occasionally stuttered, easily embarrassed, struggled to be an average student, and was hopelessly burdened by what is known today as severe dyslexia. I only began to read in the 5th grade.

My Father, emphatically and loudly said “No!” to the idea of college. He had labeled me a “lazy dreamer” ... so to him college was a waste of good money. You would agree I was certainly not a prize academic prospect!

So here I am ... and now I’ve got to explain to you how I got onto this stage as a Commencement speaker.

I would not be here today without the help of some very unselfish people ... I call them my own personal humanitarians ... we all have them.

Not going to college was a serious blow I could not live with. For years I had held on to the otherwise quite secret dream of being a physician. A dream which simply arose many years before from viewing very early Life Magazine photos of doctors tending to starving children in an African jungle hospital.

Having been born 2 years before WWII, all my life was one war after another with equally dire photos of both World War II and Korean War casualties. And soon after, during high school, emerged my generation’s first terrorist attack - a strange country named Viet Nam ... a war which actually began to build up as early as 1954.

My story, in great part, is a love story. I met equally shy girl in 1953 and I was the older man of 14. We went steady during high school and secretly dreamed of our future together. With College off the table the military draft seemed inevitable. She urged me to please my case to the High School Academic Dean, a stern grey haired Brother of Holy Cross, to both loan me the application fee and get a recommendation. I was shaking in my boots. He silently pondered the circumstances yet nodded his head and agreed to accept the personal risk despite the potential anger of my Father ...

The very next day there was a check waiting for me.

There were others ... while working as an orderly in a local hospital I met two very caring physicians. They embodied everything I wanted to be. They introduced me to a small French Catholic Liberal Arts College named St. Michaels in rural Vermont that I never heard of. Both were WWII veterans who attended St. Mike’s and then medical school on the GI Bill. Despite their busy schedules they took time to counsel and encourage, spoke highly of the quality of the education but also cautioned that the academic experience would demand much more.

St. Mike’s was the only place I applied. With luck, I was accepted. My girl friend’s parents, not my own, took me to campus ... There was no turning back!

Falling in love with St. Mike’s was a little slower and not nearly as romantic! Matriculating at St. Mike’s was a disappointment and at first a disappointment. Maybe my Father was right ... Will I fail and embarrass myself once again?

From the outset, the St. Mike’s academic faculty made it clear that everyone on campus was required to take 4 years of liberal arts. This included a long list of the world’s literature, history, arts and philosophy from the beginning of written time. This included a comparative study of all religions, and a compelling semester of logic that forced us to deliberate the philosophical “how” and “why” problems that stressed the minds of every adolescent, like me, whose brain had not yet matured ...

It took me 3 trips to the bookstore to carry all the required reading back to the small shared room in a former WWII poorly heated wooden barracks that once stood where we are today.

We desperately asked why such torture was necessary. I’m to be a scientist. Why did I have to study the liberal arts? I pleaded ... something must be wrong! With my reading disability, my anxiety level was palpable to everyone.

The science faculty made it quite clear that to pass the rigorous requirements for recommendation to graduate school required excellent marks in both the sciences and the liberal arts. Dr. Burkle

the lessons learned from the liberal arts, made major breakthroughs for mankind . . . such as human rights, freedom of speech, the splitting of the atom, penicillin, the Magna Carta, the Geneva Conventions, and the U.S. Constitution itself . . .

Slowly, St. Mike's, without my knowledge, began to hone and hum to me by introducing new ways of thinking and reasoning.

I, like all my classmates, had to give up that concrete black and white thinking of youth to meet the demands of the outside world.

Most students incorporated those new concepts further or another over the next 4 years. Confidence was built through testy debates on what our increasingly complex world demanded of us. The process re-introduced me to the academic world I thought was unfriendly . . . and gave me a new love for books which were once the enemy of every dyslexic child.

Less than a month into my freshman year a profound geopolitical event occurred that no one had anticipated or was ready for. On October 4, 1957 we huddled around the one radio available in the barracks to listen to the faint battery powered beeps of the Russian satellite Sputnik. The following day the faculty held an “all student assembly” to discuss the “hype” that the satellite launch was mankind and openly asked if any students would consider changing their major to the sciences. The Space war had begun in earnest, and a new sense of security suddenly changed and with it many Cold War humanitarian crises sprang up around the world . . . many of which, in a short decade, I became mired in myself.

Every generation has their own Sputnik moments. Your generation already has more than your share.

The liberal arts and the comparative religion courses prepared me for my life as a humanitarian more than I ever realized at the time.

Yes, we all read the Bible and debated its meaning . . . but we also found a certain solace in understanding that similar beliefs were universal among many other religions and the cultures they were tied to.

All religions that have survived over the centuries collectively teach “social justice” . . . that one day the “right” and the “fair” and just relationships between the individual and society. It is that shared social justice that I have in common with my humanitarian colleagues of every continent . . . might they be Muslims, Hindus, Christians, Jews, Buddhists, agnostics or atheists and whether they live in the Middle East or rural Vermont.

All the major wars and multiple conflicts that I became engulfed in over my lifetime were all fought over “whose god was the true god”? Unfortunately, these wars continue today.

Admittedly, and probably somewhat selfishly, I fell in love with the challenges of global humanitarian assistance. It was thrilling.

And yes, that shy girl friend who supported my application to St. Mike’s and I were married my first year of medical school and we had 3 children by the time I finished my residency at the Yale University Medical Center.

Service to one’s country was mandatory then and the government obliged by drafting me into the military. In 1968 I was rapidly trained and rushed, within 20 days, into the madness of the Viet Nam war as a Combat Surgeon in the Vietnam War.

Subsequently I was recalled to active duty as a combat physician in 5 major wars, and over the years moved up the invisible ladder of leadership in conflicts throughout many countries. I’ve worked for and with the World Health Organization, the International Red Cross and multiple global humanitarian organizations. I found myself negotiating with numerous African warlords and despots including Saddam Hussein in Iraq.

I set up refugee camps, treated horrific war wounds, severe malnutrition, scurvy, the death throes of starvation, and cholera, malaria is more common that but a few . . . When I was only a few years older than you, I had to manage the largest Bubonic Plague epidemic of the last century.

During my time . . . many, many more than any of you ever bully pulpit you have to expose and correct an injustice. Instinctively, all volunteers are also educators and advocates and educators and advocates. . . . It comes with the title.

The MOVE program, run by the Campus Ministry, and the Fire & Rescue Squad represent realistic “real world models” that one can neither assume nor get from the classroom alone. I wish I had them myself. These inspiring volunteer initiatives have changed the culture of the College and more broadly and accurately re-defined “American exceptionalism.”

Harvard, where I teach today, has recently taken a page from the St. Mike’s playbook by placing more emphasis on accepting students to College who value caring for the community over individual extracurricular achievements. They claim that “community service” and the ethical concern for the greatest good, is a more sensitive and true measure of an applicant.

I agree! St. Mike’s, emphasizing “service to others” has owned and promoted this belief for many decades.

Volunteerism, in general, is increasingly moving toward prevention, recovery and re-habilitation . . . Your role models must be those distinguished recipients of the honorary degrees today. I applaud their self-less commitments to others.

St. Mike’s was an unselfish gift to me. My class of 1961 was unique in producing many leaders in science, education, government, international relations, military, social sciences, and medicine and dentistry to name but a few. They are all great citizens who still argue incessantly over politics . . . some things never change . . . nor should they.

Please promise me that you will see your classmates often . . . call them, email them and return to the reunions. It’s a great time to brag and see that everyone is equally aging and putting on weight. I do miss many of my friends and colleagues and also the grandchildren who I tried to be an ever present and supportive guiding figure in the lives of those who passed away before I could thank them.

And yes . . . as a bonus, there is another Harvard study this year that shows that those who volunteer and the increase social connections, reduce stress . . . and live longer lives!
TRIBUTE TO KEVIN PEARCE

Mr. LEAHY, Mr. President, Vermont athletic legend Bill Pearce is my friend, and I find it fitting and appropriate to recognize and honor an exceptional leader and aviator.

Kevin Pearce was a member of the 2010 Olympics, during which time he was promoted to a two-star rear admiral and continuing his legacy, he has managed to log over 5,360 mishap-free flight hours and completed over 1,265 carrier-landing arrested landings primarily in the A–7E Corsair III and the F/A–18 Hornet. Admiral Gortney’s accomplishments have culminated with his third commanding tour in U.S. Central Command, as commander, U.S. Naval Forces Central Command / U.S. 5th Fleet, where he provided support to maritime security operations and combat operations for Operations Enduring Freedom And Iraqi Freedom.

Injured SnowboarderHelps Brain Injury Survivors

By Lisa Rathke

Lincoln—A near-fatal halfpipe crash while training for the 2010 Olympics left Kevin Pearce’s snowboarding career and changed his life forever. Six years later, Pearce continues to cope with the traumatic brain injury that he will carry with him for the rest of his life, as he is helping other survivors do the same.

Pearce, who grew up in Vermont, and his brother started the Love Your Brain Foundation to support brain injury survivors and caregivers. The foundation provides workshops for yoga teachers to cater their classes to brain injury survivors. It also offers a free yearly retreat for those with traumatic brain injury and their caregivers that is taking place this week in Lincoln, Vermont, and hopes to offer retreats in other parts of the country.

The foundation raises money to cover these activities and is working on educating young athletes about the importance of "loving their brains" and preventing concussions.

About 50 people from around the country and Canada are attending the third annual event that also features nutrition education, art, music and other mindfulness activities. Attendees can also share their personal stories.

"There was a huge missing piece to traumatic brain injuries and there’s such an unknown for so many people of what to do after they sustain this injury," said Pearce, following a morning yoga class at the retreat in a barnlike building called "the Spire." Doctors, patients, and their families are expected to recover from traumatic brain injuries, although many are left with lifelong disabilities.

One of the hardest parts about traumatic brain injuries is that they are invisible injuries, said Pearce’s brother Adam. "You can’t see them and sometimes it’s hard to beame a part of their lives, and how instrumental his younger brother David was in providing positive feedback and encouragement as he completed his physical therapy. Together with his mother, Adam, Kevin started the Love Your Brain Foundation, which offers support to survivors of traumatic brain injuries, their families, and their caregivers.

The Love Your Brain Foundation recently held its free annual retreat in Lincoln, VT. The foundation’s mission extends beyond simply providing support to survivors; it also works to raise broader public awareness about the condition. Kevin, Adam, and those who support the mission of the Love Your Brain Foundation believe that traditional treatment options, as well as alternative medical practices, can help survivors of traumatic brain injuries lead healthy lives. The foundation’s annual retreat enables people from around the country, and some from Canada, who are dealing with traumatic brain injuries to share their own stories and learn from others who have been through similar experiences.

Kevin Pearce's life forever changed the day of his accident. He and his family have had to learn about traumatic brain injuries and how best to help those who sustain them recover. That is why the work of the Love Your Brain Foundation makes a real difference.

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our Nation from any potential attacks on U.S. soil. It is also the only binational command in the world’s existence between Canada and the United States.

During his tenure there, Admiral Gortney helped define the mission for USNORTHCOM’s future, furthering the bonds that have secured the skies above the homelands for 60 years. He built a personal trust critical to the strength of the alliance with our partners in Canada, Mexico, and the Bahamas and was able to expand the traditional bounds of security cooperation. He increased military-to-military training and interaction. Within the homeland, Admiral Gortney’s keen intuition led to a deliberate campaign plan to protect the United States forces from the threat of homegrown violent extremists. He led the Department of Defense planning to support lead Federal agencies to minimize the threat of both the Ebola and Zika viruses.

Throughout his career, Admiral Gortney’s message of empowerment and his relentless desire to seek creative solutions to the commands’ challenges has served as an example to all during his lifetime exemplary of military service. I join with the members of the Senate Armed Services Committee in expressing my respect and gratitude to Admiral Gortney for his outstanding service to our Nation. I offer heartfelt thanks to Bill; his wife, Sherri; their children, Stephanie and Sherry; their children, Stephanie and Sherry; and grandchildren, Gavin and Grayson. Congratulations to all on Bill’s retirement from the U.S. Navy after a lifetime of dedicated service. To Bill, trusted leader and dedicated patriot, fair winds and following seas.

90TH ANNIVERSARY OF THE TRIANGLE X RANCH

Mr. ENZI. Mr. President, I appreciate having this opportunity to share some news with the Senate about a very important anniversary we are celebrating in my home State. This is the year the Triangle X Ranch, one of our State’s great attractions, is marking its 90th year of operation.

As you can imagine, the Triangle X has quite a story to tell of those 90 years. It began in the early 1900s when a visitor fell in love with an especially beautiful area of Wyoming. It continues to this day, its 90th year, cared for over the years by five generations of the Turner family.

The people of my home State have a great fondness and appreciation for the Triangle X because it reminds us of our Western heritage and our love of the land and all it provides. It reminds us of our growth as a State and what it was like to live in Wyoming back in those days.

The Triangle X Ranch Web site tells the story of the ranch. It begins, back in the early 1900s, when John and Maytie Turner liked to take “fun vacations,” as they called them, to Yellowstone National Park. It was during one of those visits they had a chance to see an area around Jackson Hole for the first time. It was one of those storybook encounters—or to put it another way: lower loves, higher.

Life was a lot tougher back then, so when they decided to make the area their home, they had to bring their sons back with them to get things started. It took a tremendous effort to build their home so they would have a place to live and maybe a place to stay. It’s hard to imagine what an effort it took for them to live what had become their dream.

For starters, they had to bring the logs from some felled trees to their home site so they could build the base ment of what would become their home. Once that was done, they had a place where they could live while they built the rest of their house.

Everything was difficult: Providing for the children they needed took planning and some time. Just taking a trip to the nearest town took several days. They had to grow or produce their own food, and while they were at it, they had to come up with ways of making something of a living.

This paragraph from the history section of their Web site says a lot about what their life was like back then for them and for many of those who had left the comforts of home and traded them for the great adventure.

“Because there was no electricity, wood supplied heat and kerosene lamps brought light to interiors. Refrigeration was provided by large chunks of ice that had been cut from nearby beaver ponds in the winter and stored in piles of sawdust to keep through the summer. A fresh meat supply was provided by the Turners’ cattle herd, chickens and big game harvested in the fall. Surprisingly, most of these methods of supply continued through the 1940s.”

The next generation saw more changes to the ranch. It was now a dude ranch. Their Web site describes how it became an “authorized concession of the National Park Service—the last dude ranch concession within the entire National Park system.”

Today, a fifth generation of the Turner family is working the ranch and welcoming guests, both new and returning friends, to share in the lifestyle their family has loved for all these years. As each guest comes to the Triangle X, they receive the kind of education you just can’t get from watching a movie or reading a book. You are immersed in a lifestyle that provides you with a front row seat to what life was like in the days of the old West.

As you can tell, I enjoy talking about the people of Wyoming, our businesses, and our unique brand of hospitality. I cannot think of enough words to come to Wyoming and get a taste of what life was like back in the days when the West was the best part of our national heritage—and you will see that it still is. When you come to my home State, you might stop by the Triangle X and then explore some more of Wyoming and the West.

Our homegrown businesses are one of those things that are important. Together, they form the backbone of Wyoming’s economy and they keep us headed in the right direction. They are the strength of Wyoming and the West, and they are one of the reasons why people keep flocking to Jackson and the other cities and towns of Wyoming.

I will close by once again congratulating all those who are a part of the Triangle X story. They have made a difference in our State and in the lives of all those who come to visit. I would also like to invite my colleagues to come and see my home State. You can’t beat our scenic beauty, hospitality, and our history and legacy as a State. I can promise you that you will have an adventure in Wyoming that you will remember for a long time to come.

Thank you.

ADDITIONAL STATEMENTS

PEASE GREETERS’ 1000TH FLIGHT

Ms. AYOTTE. Mr. President, today I wish to recognize and congratulate the Pease Greeters’ nonprofit organization for more than 11 years of continuous service in greeting our troops and civilian personnel from the Department of Defense, DOD, passing through the Pease International Trade Port in Peabody, NH. In my colleagues and I have welcomed more than 1,000 flights passing through the trade port on their way to or from Afghanistan, Iraq, or other areas of conflict in the world.

The Pease Greeters organization was created in May of 2005 when an unannounced plane carrying members of the U.S. military landed at the Pease International Airport. The airport director, maintenance manager, and airport employees quickly got together to meet and greet these troops, offering coffee, donuts, and a big thank you for their service. Soon thereafter, the airport director discovered that additional charter flights would be arriving at Pease. Upon learning this, he reached out to the Seacoast Marine Corps League for assistance welcoming the troops and putting together a fitting ceremony to show respect, appreciation, and honor for their service.

Once word spread, dozens of citizens from New Hampshire, Maine, and Massachusetts, lent their support to organize what quickly became known as the Pease Greeters, whose mission is to promote broad participation in this welcoming of heroes, paying special attention to the education of school children and the inspiration for the troops through formal ceremonies for each flight. Whether it is 4 a.m. in the morning or 4 p.m. in the
afternoon, the Pease Greeters are there to welcome and thank the members of the military and the civilian men and women working in the DOD coming through Pease. As of May 2016, the Pease Greeters have met more than 190,000 service men and servicewomen at the trade port, provided a bank of phones where they can call loved ones anywhere in the world free of charge, offered them more than 27,000 pizzas, 167,000 sandwiches, 110,000 bottles of water or soda, and 74,000 knitted hats. As the Pease Greeters welcome its 1,000th flight on June 26, 2016, I commend the board of directors, the many volunteers, the supporting businesses, the Pease International Airport director and staff, and the hundreds of well-wishers who have spent more than 11 years thanking and honoring our troops and DOD members for their service and selfless sacrifice to our Nation. As the Pease Greeters’ mission continues, I have no doubt they will continue to provide comfort and welcome many future military members arriving or departing from the Pease International Trade Port.

40TH ANNIVERSARY OF THE MEMORIAL TOURNAMENT

Mr. PORTMAN. Mr. President, today I wish to recognize the 40th anniversary of the first playing of the Memorial Tournament, "the Memorial," at Muirfield Village Golf Club in Dublin, OH. Jack Nicklaus, a golf legend and Congressional Gold Medal recipient, founded the Memorial in 1976. Jack wanted to bring an annual PGA tour event to Central Ohio and named the tournament "the Memorial" to recognize a person or persons, living or deceased, who have contributed to the game of golf with honor.

The Memorial has been a significant benefit to charitable organizations. For example, Camp Owlseye Children's Hospital in Columbus, OH, has received over $14 million from the Memorial. In honor of that support, the hospital re-named its neonatal intensive care unit, NICU, as the Memorial NICU in 2006. The Memorial has also helped other organizations, such as the James Cancer Hospital and Solove Research Institute, the First Tee of Central Ohio, Shriners, and many more. The Memorial provides a significant economic development impact to the central Ohio region with an estimated $35 million annually toward the economy. I am honored to have attended the Memorial to see firsthand its impact in the community. I would like to congratulate all who were involved in making the past 40 years of the Memorial a success.

RECOGNIZING ALABAMA’S SPECIAL CAMP FOR CHILDREN AND ADULTS

Mr. SESSIONS. Mr. President, today I wish to recognize the 40th anniversary of Alabama’s Special Camp for Children and Adults, a nationally recognized leader in therapeutic recreation for children and adults with both physical and intellectual disabilities. Also known as Camp ASCCA, the organization was founded in 1976 with the goal of helping eligible individuals achieve equality, dignity, and maximum independence. Camp ASCCA is the only one of its kind in the State of Alabama and hosts between 6,000 and 8,000 people each year, all varying in age. On the shores of Lake Martin, the camp offers 230 wooded acres and handicapable facilities. The camp strives to increase the level of individuality and confidence of its guests, and that impact lasts long after the camp session ends.

Camp ASCCA maintains a trained staff dedicated to accommodating the needs of its visitors. The mission statement of ASCCA is to serve those who can derive maximum benefit from the experience and provide a healthier, happier, longer, and more productive life for children and adults of all abilities.

On August 6, 2016, ASCCA will be celebrating its 40th anniversary. Please join me in recognizing Alabama’s Special Camp for Children and Adults for its long-term commitment to creating an enjoyable atmosphere for those guests who attend.

REMEMBERING MARLIN MOORE

Mr. SHELBY. Mr. President, today I wish to honor the life of my friend Marlin Moore of Tuscaloosa, AL, who passed away on May 25, 2016. He will be long remembered as an accomplished businessman and a civic leader.

A native of Tuscaloosa, Marlin attended Tuscaloosa High School and then went on to become a student at the University of Alabama’s School of Commerce. Following graduation, he joined the firm of Pritchett-Moore, Inc., where he worked under its founder, Marlin Moore, Sr., and Harry H. Pritchett.

Marlin eventually became president and then chairman of Pritchett-Moore. Not only did he develop 43 subdivisions during his time with Pritchett-Moore, but he was involved with the Realtors Association both on the State and national level. Marlin served two terms as president of the Tuscaloosa Association of Realtors, president of the Alabama Association of Realtors, and as a board member of the National Association of Realtors for 11 years. For his contributions to the real estate community, he received the Alabama Realtor of the Year Award and was named a member of the Home Builders Association of Tuscaloosa Hall of Fame.

In addition to his interest and work in real estate, Marlin was also a founder of Security Bank, where he served as its chairman. He served as a board member of First National Bank and AmSouth Bank, and he served two terms on the board of the Federal Reserve Bank of Atlanta.

In addition to his professional contributions to west Alabama, Marlin worked with several philanthropic organizations such as the United Way of West Alabama, West Alabama Chamber of Commerce, Red Cross, Exchange Club, the Boy Scout Council, the West Alabama Community Foundation, and the University of Alabama and the Crimson Tide Track Program. In 2008, he was inducted into the Pillars of West Alabama for his dedicated efforts and service to the area.

We of Tuscaloosa and the State of Alabama was fortunate to have a great businessman and civic leader like Marlin Moore, and he will be sorely missed. I offer my deepest condolences to his wife, Laine, and their children as they celebrate his life and mourn his loss.

MESSAGE FROM THE HOUSE

At 11:05 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that pursuant to section 3(a) of the Evidence-Based Policy-making Commission Act of 2016 (Public Law 114–140), the Minority Leader appoints the following individuals on the part of the House of Representatives to the Commission on Evidence-Based Policymaking: Dr. Sherry A. Glied of New York, Dr. Hilary W. Hoynes of California, and Dr. Latanya A. Sweeney of Massachusetts.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

S. 785. A bill to enhance whistleblower protection for contractor and grantee employees (Rept. No. 114–270).

S. 1411. A bill to amend the Act of August 20, 1958, commonly known as the "Former Presidents Act of 1958", with respect to the monetary allowance payable to a former President, and for other purposes (Rept. No. 114–271).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. WARREN (for herself and Mr. LEVIN):

S. 3025. A bill to amend the Internal Revenue Code of 1986 to permit fellowship and stipend compensation to be saved in an individual retirement account; to the Committee on Finance.

By Mr. SCHUMER:

S. 3026. A bill to amend the Communications Act of 1934 to expand and clarify the prohibition on inaccurate caller identification information and to require providers of telephone service to offer technology to subscribers to reduce the incidence of unwanted telephone calls, and for other purposes; to the Committee on Commerce, Science, and Transportation.
By Mr. KING:
S. 3027. A bill to clarify the boundary of Acadia National Park, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. CANTWELL (for herself and Mrs. MURRAY):
S. 3026. A bill to redesignate the Olympic Wildland with the Daniel J. Evans Wilderness; to the Committee on Energy and Natural Resources.

By Ms. MURKOWSKI:
S. 3029. A bill to extend the authorization of appropriations to the Department of Veterans Affairs for purposes of awarding grants to veterans service organizations for the transportation of highly rural veterans; to veterans service organizations for the purposes of awarding grants of appropriations to the Department of Veteran Resources.

By Mr. ALEXANDER (for himself, Mr. JOHNSON, Mr. MCCONNELL, Mr. BARRASSO, Mr. BOOZMAN, Mr. CASSIDY, Mr. COATS, Mr. COCHRAN, Ms. COLLINS, Mr. CORZINE, Mr. CORKER, Mr. CORNYN, Mr. COTTON, Mr. CRAFO, Mr. CRUZ, Mr. DAINES, Mr. ENZI, Mrs. EINSTEIN, Mrs. FISCHER, Mr. FLAKE, Mr. GARDNER, Mr. GRAHAM, Mr. HATCH, Mr. HELLER, Mr. HOEVEN, Mr. INHOFF, Mr. ISAKSON, Mr. LANSTEADT, Mr. LEE, Mr. MCCAIN, Mr. MORA, Ms. MURKOWSKI, Mr. PAUL, Mr. PERDUE, Mr. RISCH, Mr. ROBERTS, Mr. ROUND, Mr. RUBIO, Mr. SCOTT, Mr. SESSIONS, Mr. SHELDY, Mr. THUNE, Mr. TILLIS, Mr. VITTER, Mr. WICKER, and Mr. SULLIVAN):
S. J. Res. 34. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Labor relating to defining and delimiting the exemptions for executive, administrative, professional, outside sales, and computer employees; to the Committee on Health, Education, Labor, and Pensions.

ADDITIONAL COSPONSORS
S. 299
At the request of Mr. FLAKE, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. 299, a bill to allow travel between the United States and Cuba.

S. 699
At the request of Mr. SCHUMER, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 699, a bill to amend the Internal Revenue Code of 1986 to extend and increase the exclusion for benefits provided to volunteer firefighters and emergency medical responders.

At the request of Ms. STABENOW, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 857, a bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare program of an initial comprehensive care plan for Medicare beneficiaries newly diagnosed with Alzheimer's disease and related dementias, and for other purposes.

S. 859
At the request of Ms. CANTWELL, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 859, a bill to protect the public, communities across America, and the environment by increasing the safety of crude oil transportation by railroad, and for other purposes.

S. 184
At the request of Mr. BLUMENTHAL, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 184, a bill to improve access to emergency medical services, and for other purposes.

S. 1049
At the request of Ms. HEITKAMP, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 1049, a bill to allow the financing by United States persons of sales of agricultural commodities to Cuba.

S. 1556
At the request of Ms. COLLINS, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 1516, a bill to amend the Internal Revenue Code of 1986 to modify the energy credit to provide greater incentives for industrial energy efficiency.

S. 1669
At the request of Mr. LEAHY, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 1669, a bill to amend the Voting Rights Act of 1965 to reverse the criteria for determining which States and political subdivisions are subject to section 4 of the Act, and for other purposes.

S. 1715
At the request of Mr. HOEVEN, the names of the Senator from North Dakota (Ms. HEITKAMP) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of S. 1715, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 400th anniversary of the arrival of the Pilgrims.

S. 1992
At the request of Mr. CARDIN, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 1992, a bill to authorize a Wall of Remembrance as part of the Korean War Veterans Memorial and to allow certain private contributions to fund the Wall of Remembrance.

S. 2351
At the request of Mr. KIRK, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 2351, a bill to authorize State and local governments to divert from entities that engage in commerce-related or investment-related boycott, divestment, or sanctions activities targeting Israel, and for other purposes.

S. 2598
At the request of Mr. PETERS, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 2598, a bill to require the Director of the United States Geological Survey to conduct monitoring, assessment, science, and research, in support of the biennial fisheries assessment within the Great Lakes Basin, and for other purposes.

S. 2599
At the request of Ms. WARREN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2599, a bill to require the Secretary of the Treasury to mint coins in recognition of the 60th anniversary of the Nalsmith Memorial Basketball Hall of Fame.

S. 2614
At the request of Mr. SCHUMER, the names of the Senator from North Carolina (Mr. BURREN) and the Senator from Florida (Mr. NELSON) were added as cosponsors of S. 2614, a bill to amend the Violent Crime Control and Law Enforcement Act of 1994, to reauthorize the Missing Alzheimer’s Disease Patient Alert Program, and to promote initiatives that will reduce the risk of injury and death relating to the wandering characteristics of some children with autism.

S. 2659
At the request of Mr. BURREN, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 2659, a bill to require that the Environmental Protection Agency cannot regulate vehicles used solely for competition, and for other purposes.

S. 2763
At the request of Ms. GILLIBRAND, the names of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 2763, a bill to provide the territories of the United States with bankruptcy protection.

S. 2765
At the request of Mr. CORNYN, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 2765, a bill to require the Government Accountability Office to collect and analyze data to facilitate transparency, effective government, and innovation, and for other purposes.

S. 2852
At the request of Mr. SCHATZ, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 2852, a bill to expand the Governors’ emergency management and disaster relief authority, and for other purposes.

S. 2854
At the request of Mr. BURREN, the names of the Senator from Utah (Mr. HATCH), the Senator from New Jersey (Mr. BOOKER) and the Senator from Minnesota (Mr. FRANKEN) were added as cosponsors of S. 2854, a bill to reauthorize the Emmett Till Unsolved Civil Rights Crimes Act of 2007.

S. 2855
At the request of Mrs. FEINSTEIN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 2855, a bill to extend the civil statute of limitations for victims of Federal sex offenses.

S. 2912
At the request of Mr. JOHNSON, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 2912, a bill to authorize the use of unapproved medical products by patients diagnosed with a terminal illness in accordance with State law, and for other purposes.
At the request of Mr. Cassidy, the name of the Senator from Oregon (Mr. Merkley) was added as a cosponsor of S. 2932, a bill to amend the Controlled Substances Act with respect to the provision of emergency medical services.

At the request of Mr. Schumer, the name of the Senator from New Jersey (Mr. Booker) was added as a cosponsor of S. 2934, a bill to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale.

At the request of Mr. Wyden, the name of the Senator from Virginia (Mr. Kaine) was added as a cosponsor of S. 2979, a bill to amend the Federal Election Campaign Act to prohibit the use of funds from candidates of major parties for the office of President to disclose recent tax return information.

At the request of Mrs. McCaskill, the name of the Senator from Missouri (Mr. Blunt) was added as a cosponsor of S. 3023, a bill to provide for the reconsideration of claims for disability compensation for veterans who were the subjects of experiments by the Department of Defense during World War II that were conducted to assess the effects of mustard gas or lewisite on people, and for other purposes.

At the request of Mr. Heinrich, the name of the Senator from Michigan (Mr. Peters) was added as a cosponsor of S. Res. 465, a resolution supporting the United States solar energy industry to bring clean, 21st-century solar technology into homes and businesses across the United States.

At the request of Mr. Moran, the name of the Senator from Pennsylvania (Mr. Toomey) was added as a cosponsor of amendment No. 4068 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

At the request of Mrs. Boxer, the name of the Senator from South Carolina (Mr. Graham) was added as a cosponsor of amendment No. 4088 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

At the request of Mr. McCaskill, the name of the Senator from Missouri (Mr. Blunt) was added as a cosponsor of amendment No. 4097 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

At the request of Mr. Moran, the name of the Senator from Wyoming (Mr. Barrasso) was added as a cosponsor of amendment No. 4098 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

At the request of Mr. Kaine, the name of the Senator from Virginia (Mr. Kaine) was added as a cosponsor of amendment No. 4116 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

At the request of Mr. Casey, his name was added as a cosponsor of amendment No. 4123 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

At the request of Ms. Cantwell, the name of the Senator from New Mexico (Mr. Heinrich) was added as a cosponsor of amendment No. 4179 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

At the request of Mr. Daines, the name of the Senator from Montana (Mr. Heinrich) was added as a cosponsor of amendment No. 4230 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

At the request of Ms. Cantwell, the name of the Senator from New Mexico (Mr. Heinrich) was added as a cosponsor of amendment No. 4179 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

At the request of Mr. Daines, the name of the Senator from Montana (Mr. Heinrich) was added as a cosponsor of amendment No. 4230 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.
were added as cosponsors of amendment No. 4222 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4223
At the request of Mr. BARRASSO, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of amendment No. 4223 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4224
At the request of Mr. REID, the names of the Senator from Washington (Mrs. MURRAY) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of amendment No. 4215 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4225
At the request of Mr. McCAIN, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of amendment No. 4225 proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4226
At the request of Mr. HELLER, the names of the Senator from Delaware (Mr. COONS) and the Senator from Michigan (Mr. PETERS) were added as cosponsors of amendment No. 4226 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4227
At the request of Mr. MARKEY, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of amendment No. 4227 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4228
At the request of Mr. CASEY, his name was added as a cosponsor of amendment No. 4228 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4229
At the request of Mr. COCHRAN, the name of the Senator from Utah (Mr. BROWN) was added as a cosponsor of amendment No. 4229 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4230
At the request of Ms. HAWLEY, the name of the Senator from Missouri (Mr. ROGERS) was added as a cosponsor of amendment No. 4230 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4231
At the request of Mr. DAINES, the name of the Senator from Montana (Mr. BOOZMAN) was added as a cosponsor of amendment No. 4231 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4232
At the request of Mr. HATCH, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of amendment No. 4232 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.
Utah (Mr. Lee), the Senate from Maryland (Ms. Mikulski), the Senate from Florida (Mr. Nelson), the Senate from North Dakota (Mr. Hoeven), the Senate from South Dakota (Mr. Rounds) and the Senate from Virginia (Mr. Warner) were added as cosponsors of amendment No. 4276 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

**AMENDMENT NO. 4276**

At the request of Mr. Lee, the name of the Senator from Utah (Mr. Hatch) was added as a cosponsor of amendment No. 4276 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

**AMENDMENT NO. 4276**

At the request of Mr. Schatz, the name of the Senator from Alaska (Ms. Murkowski) was added as a cosponsor of amendment No. 4290 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

**AMENDMENT NO. 4290**

At the request of Mr. Casey, the names of the Senator from Washington (Mrs. Murray), the Senator from Virginia (Mr. Warner), the Senator from Vermont (Mr. Sanders) were added as cosponsors of amendment No. 4292 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

**AMENDMENT NO. 4292**

At the request of Mr. Barrasso, his name was added as a cosponsor of amendment No. 4306 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

**AMENDMENT NO. 4306**

At the request of Mr. Portman, the name of the Senator from Montana (Mr. Daines) was added as a cosponsor of amendment No. 4317 proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

**AMENDMENT NO. 4317**

At the request of Mr. Schatz, the name of the Senator from Massachusetts (Mr. Markey) was added as a cosponsor of amendment No. 4320 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

**AMENDMENT NO. 4320**

At the request of Mr. Schatz, the name of the Senator from Massachusetts (Mr. Markey) was added as a cosponsor of amendment No. 4369 proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

**AMENDMENT NO. 4369**

At the request of Mr. Durbin, the names of the Senator from New Hampshire (Mrs. Ayotte), the Senator from Michigan (Ms. Stabenow), the Senator from Minnesota (Mr. Peters), the Senator from Oregon (Mr. Merkley), the Senator from Florida (Mr. Nelson), the Senator from Oregon (Mr. Wyden), the Senator from New Jersey (Mr. Booker), the Senator from New Mexico (Mr. Heinrich) and the Senator from Virginia (Mr. Warner) were added as cosponsors of amendment No. 4399 proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

**AMENDMENT NO. 4399**

At the request of Mr. Booker, the name of the Senator from Oregon (Mr. Merkley) was added as a cosponsor of amendment No. 4401 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

**AMENDMENT NO. 4401**

At the request of Mr. Perdue, the name of the Senator from Georgia (Mr. Isakson) was added as a cosponsor of amendment No. 4418 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

**AMENDMENT NO. 4418**

At the request of Mr. Portman, the name of the Senator from Montana (Mr. Daines) was added as a cosponsor of amendment No. 4423 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

**AMENDMENT NO. 4423**

At the request of Mrs. Boxer, the name of the Senator from New York (Mrs. Gillibrand) was added as a cosponsor of amendment No. 4426 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

**AMENDMENT NO. 4426**

At the request of Mr. Wyden, the names of the Senator from Virginia (Mr. Kaine), the Senator from California (Mrs. Boxer) and the Senator from Massachusetts (Ms. Warren) were added as cosponsors of amendment No. 4433 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

**AMENDMENT NO. 4433**

At the request of Mr. Grassley, the name of the Senator from Alabama (Mr. Sessions) was added as a cosponsor of amendment No. 4435 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

**AMENDMENT NO. 4435**

At the request of Mr. Rubio, the name of the Senator from Oklahoma (Mr. Inhofe) was added as a cosponsor of amendment No. 4436 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

**AMENDMENT NO. 4436**

At the request of Mr. Schatz, the names of the Senator from Oregon (Mr. Wyden), the Senator from Oregon (Mr. Merkley) and the Senator from Pennsylvania (Mr. Casey) were added as cosponsors of amendment No. 4438 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military
activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

STATUTES ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. CANTWELL (for herself and Mrs. MURRAY).

S. 3039. A bill to redesignate the Olympic Wilderness as the Daniel J. Evans Wilderness; to the Committee on Energy and Natural Resources.

Ms. CANTWELL. Mr. President, I am pleased to join with Senator MURRAY in introducing legislation to rename the Olympic Wilderness in Olympic National Park as the Daniel J. Evans Wilderness, in honor of former Washington Senator and Governor Dan Evans.

Dan Evans has had a long and distinguished career in public service. He was first elected Governor of Washington in 1964 and was reelected in 1968 and 1972. In 1983, he was appointed to fill the term of the late Senator Henry M. Jackson and served an additional term in the Senate before retiring in January, 1989. Through 2001 Senator Evans served as a member of the University of Washington Board of Regents.

During his time in the Senate, Senator Evans was a leader in the passage of two major wilderness bills in our state. He was a co-sponsor of the 1984 Washington Wilderness Act, which designated more than one million acres of national forest lands in Washington as wilderness. And he was the lead sponsor of the Washington Park Wilderness Act of 1988, which designated more than 1.5 million acres of Wilderness in Olympic, Mount Rainier and North Cascade National Parks.

Thanks to Senator Evans’ dedication to protecting wild lands in our state, Washington is home to some of the most spectacular wildlands, Washingtonians and all Americans are able to enjoy outdoor recreation opportunities in some of our nation’s most iconic areas, including protection of more than 676,000 acres of wilderness in Olympic National Park.

This dedication will not affect the management of either the national park or the wilderness, but it will appropriately recognize the important role of Dan Evans in securing the permanent protection of this magnificent landscape.

By Mr. ALEXANDER (for himself, Mr. JOHNSON, Mr. MCCONNELL, Mr. BARRASSO, Mr. BOOZMAN, Mr. CASSIDY, Mr. COATS, Mr. COCHRAN, Ms. COLLINS, Mr. CORKER, Mr. CORNYN, Mr. COTTON, Mr. CRAPO, Mr. CRUZ, Mr. DAINES, Mr. ENZI, Mrs. ERNST, Mrs. FISCHER, Mr. FLAKE, Mr. GARDNER, Mr. GRAHAM, Mr. HATCH, Mr. HELPER, Mr. HUEBY, Mr. INHOFE, Mr. ISAKSON, Mr. LANKFORD, Mr. LEE, Mr. MCCAIN, Mr. MORAN, Ms. MURKOWSKI, Mr. PAUL, Mr. PERDUE, Mr. RISCH, Mr. ROBERTS, Mr. ROUNDS, Mr. RUBIO, Mr. SCOTT, Mr. SESSIONS, Mr. SHELBY, Mr. THUNE, Mr. TILLIS, Mr. VITTER, Mr. WICKER, and Mr. SCHATZ):

S. J. Res. 34. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Labor relating to determining the exemptions for executive, administrative, professional, outside sales, and computer employees; to the Committee on Health, Education, Labor, and Pensions.

Mr. ALEXANDER. Mr. President, I am here today to introduce a Congressional Review Act resolution of disapproval on the administration’s so-called overtime rule. I am joined by Senator JOHNSON of Wisconsin on this effort and also 43 other Senators who are cosponsors.

While President Obama is running around talking about keeping college costs down, his administration has put out this so-called overtime rule that could raise tuition by hundreds of dollars for full-time college students or cause layoffs at our colleges and universities. In Tennessee, for example, colleges report to me that they may have to raise tuition by anywhere from $200 a student to $850 a student in order to implement this rule.

The administration’s new rule is a radical change to our Nation’s overtime rules. What they have done is doubled the salary threshold for overtime. Here is what that means. Hourly workers are usually paid for overtime work, but salaried workers generally don’t earn overtime unless they are making below a threshold set by the Labor Department, as required by the Fair Labor Standards Act. Today that threshold is $23,660. This administration is raising it all at one time to $47,476. The administration calls this the overtime rule. I think we should call this the “time card” rule or the “higher tuition” rule. This means that a midlevel manager in Knoxville or Nashville who is making $40,000 a year is going to have to go back to punching a time card.

The rule affects 4.23 million workers nationwide and nearly 100,000 in Tennessee. It is going to create huge costs for employers, including small businesses, nonprofits, such as the Boy Scouts, and colleges and universities. They have to decide whether to cut services, cut benefits, lay off or demote employees, or create more part-time jobs or do a little of all of that.

The University of Tennessee says that if they increase everyone’s salaries to meet the new threshold, they will have to increase tuition by over $200 per student on average, with some seeing as much as a $506 increase. If they put all the salaried employees back on time cards, they will face big morale issues.

Listen to this letter I received from a University of Tennessee employee:

Currently, I am an exempt employee but I stand to fail under the non-exempt status under the new standards. While this may not seem like a major issue, I tend to lose a substantial amount of benefits if my status changes. The nature of my position does not ever cause me to work overtime, as I work in an office setting and I am salaried. If I am reclassified, it appears I will lose 96 hours of annual leave per year, as well as be subject to an almost 100 hour long cap on accrued annual leave.

Another private college in Tennessee tells me it will cost them the equivalent of $850 a student if they don’t lay off any employees.

As employers, they also face the cascades of regulations that is coming from the Labor Department.

This rule should be called the “time card” rule because they are going to pull millions of Americans who have less than $23,660 into positions backwards—back to filling out a time card and punching a clock, back to having fewer benefits, backwards in their careers, back to being left out of the room, back to being left off emails and even out of the conversation.

Want to show your stuff at work? Want to get up early, leave late, climb the ladder, earn the American dream the way that so many Americans have before you? Tough luck. Employers are going to say: Don’t come early. Don’t stay late. Don’t take time off to go to your kids’ football game. Work your 8 hours and go home. I don’t have enough money to pay you overtime.

This rule says the Obama administration knows best. They know how to manage your career, your work schedule, your free time, and your income. They know better than you do.

Today, somebody who makes a salary of less than $23,660 has to play card games. Almost everyone agrees that threshold is low and should begin to go up. Almost everyone said to the administration: It is time to raise the number. Some don’t want it to go too fast or too high, but don’t go too high, too fast or too low you will create all kinds of destruction. They didn’t listen, so now we are going to have these huge costs.

Let’s talk about employers. Let’s remember that we are talking about non-profits like Operation Smile, which is a charity that funds cleft palate operations for children. They say this rule will mean 3,000 fewer surgeries a year. Then there is the Great Smoky Mountain Council of the Boy Scouts, my home council, which estimates $100,000 in added annual costs because during certain seasons, employees staff weekend campouts and recruitment events, which mean longer hours.

Many Americans are discouraged by this economic recovery. Millions are still waiting for the recovery. But you don’t grow the economy by regulations such as this.

The National Retail Federation says the rule will “curtail available advance opportunities, diminish workplace flexibility, damage employee morale, and lead to a more hierarchical workplace.”
The U.S. Chamber Commerce says: “The dramatic escalation of the salary threshold, below which employees must be paid overtime for working more than 40 hours a week, will mean millions of employees who are salaried professionals will have to be reclassified to hourly workers.”

There are 16 million Americans—including 320,000 Tennesseans—who are working part time while looking for full-time work or who are out of work entirely. They need a vibrant economy; they need a Washington bureaucrats telling them how to manage their work schedule, their free time, and their income.

I know this is a good-sounding rule, but it wrestles more and more control from the hands of Americans and small business owners and puts more power in Washington agencies.

Many of these rules, like the overtime rule or the “higher tuition” rule or the “time card” rule—all of which are an early death before business owners and nonprofits and colleges and universities begin the task of implementing it by December.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. JOHNSON. Mr. President, I rise first to say thank you to the Senator from Tennessee for leading this vote of disapproval on what is really a terrible rule. It is a solution looking for a problem.

I spent 31 years running a manufacturing plant. It has been my experience that I have never had somebody in my operation ask to go from salary to hourly. I remember in 2004 when they tightened the rules and a number of people who worked for me were forced into hourly. None of them wanted to go. By the way, none of them received higher wages or a higher salary; they just lost flexibility—and that is exactly what is going to happen.

Being an accountant, I would like to kind of walk through the numbers. These are the Department of Labor’s own calculations. They claim there would be $1.2 billion more wages paid to workers. That is what they claim the benefit is going to be, but they also admit that there will be $678 million in compliance costs. Business owners just trying to figure out the rule, trying to implement it.

What they are missing is, if wages—and I think that is a big “if” because I think what will end up happening is—you know, businesses are competing in a global economy, and you can’t just increase costs. So my guess, basically, is what is going to happen—and happened to my business in 2004—is they will just adjust. The workers won’t get any more money. But let’s just say $1.2 billion in wages is paid to workers. Well, that will be a cost to businesses. So as far as the overall benefit to the economy, wages might increase $1.2 billion. But that would mean a net increase of $1.2 billion, and that nets to zero benefit to the economy. But there will still be a $678 million compliance cost to businesses, and, of course, that will be added to the already onerous regulatory burden on our economy.

There are three different studies—the Small Business Administration, the Competitive Enterprise Institute, and the National Association of Manufacturers—putting the cost of complying with Federal regulation somewhere between $1.75 trillion to over $2 trillion per year. If you take the medium estimate of that and divide it by 127 million households, that is a total cost of compliance with Federal regulations of $14,800 per household. That is the only larger expense to a household is housing. That is the cost of complying.

Let me finish with another figure—$12,000 per year, per employee. That is the cost of just four Obama regulations to one manufacturer. You can’t tell me which one because the CEO fears retaliation. Now, think of that for a minute. But just four Obama regulations are costing one paper manufacturer the equivalent of $12,000 per year, per employee.

So if you are concerned about income inequality, if you are wondering why wages have stagnated, look no further than this massive regulatory burden, and of course the overtime rule is just one of those burdens. I would just ask anybody, would you rather have that $12,000 feeding the government in compliance costs or would you rather have that $12,000 in your paycheck feeding your family?

Making a living is hard. Big Government just makes it a whole lot harder, and this overtime rule is just going to make it that much more incrementally harder.

Mr. ISAKSON. Mr. President, I rise for a few moments to compliment Chairman ALEXANDER and Senator JOHNSON for their resolution of disapproval on the overtime rule.

When I came into the Chamber, LAMAR ALEXANDER was making his speech to protect our job creators. I listened closely, because I got a phone call last week from Bryant Wright, the pastor at the Johnson Ferry Baptist Church in Marietta, GA. They are one of the largest Baptist churches in my state. They provide daycare. They provide early childhood development. They provide sports activities. They provide vacations Bible school—a 24/7 program for underprivileged kids.

The unintended consequence of what I am sure is a well-intended regulation is that 24-hour camp counselors at Johnson Ferry Baptist Church for their vacation Bible school will be paid regular pay for 8 hours and then have to be paid time and a half for the other 16 hours of the day they are with the child under the application of the rule. You are going to price the Johnson Ferry Baptist Church out of the business of providing for underprivileged children. And what is going to happen? Those people are going to come to the government for the government to provide that service.

So what this will do is take a church out of the business of helping human beings and put the government in the business of having taxpayers to fund services that would have been provided anyway.

I commend Chairman ALEXANDER. I commend Senator JOHNSON and others. I urge all my colleagues to join them in the resolution of disapproval in the overtime rule. It is wrong for America. Its consequences are unintended, but they are devastating. I urge everybody to vote in favor of it, and I appreciate Senator ALEXANDER for his leadership in introducing that joint resolution.

I yield the floor.
SA 4479. Mr. INHOFE (for himself and Mr. LANKFORD) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4487. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4490. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4491. Mr. BENNET (for himself, Mr. BLUMENTHAL, Mrs. GILLIBRAND, and Ms. BALDWIN) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4492. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4493. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4494. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4495. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4496. Mr. Kaine (for himself, Mr. FLAKE, and Mr. NELSON) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4497. Mr. KainE (for himself and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4498. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4499. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4500. Mr. JOHNSON (for himself and Mr. CARPER) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4501. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4502. Mr. MURKOWSKI (for herself, Mr. WHITEHOUSE, Mr. SULLIVAN, Ms. KLOHOUCHAR, Mr. FRANKEN, Ms. BALDWIN, and Mrs. BOXER) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4503. Mr. COTTON submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4504. Mr. HOWEY (for himself and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4505. Mr. DONNELLY (for himself, Mr. BURR, Mr. KAIN, Mr. HATCH, and Mr. ROUNDS) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4506. Ms. WAKEMAN, Mr. WHITEHOUSE, Mr. MARKEY, Ms. BALDWIN, Ms. MURPHY, Mr. LEAHY, Mrs. MURRAY, Mr. MERKLEY, Mr. CASEY, Ms. CANTWELL, Mr. SCHUMER, Ms. STARK (for herself and Mr. DURbin) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4507. Mr. HATCH submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4508. Mr. BROWN (for himself and Ms. WARREN) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4509. Mr. NELSON (for himself, Mr. GARDNER, Mr. BENNET, Mr. SHELY, and Mr. DURBn) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4510. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4511. Mr. GRASSLEY (for himself and Ms. SMITH) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4512. Mr. KIRK submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4513. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4514. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4515. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4516. Mr. BURR (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4517. Mr. BURR (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4518. Mr. BURR (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.
SA 4539. Mrs. MURRAY (for herself, Mr. BLUMENTHAL, Mr. BROWN, and Ms. MIKULSKI) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4546. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4548. Mr. BROWN (for himself, Mr. BLUNT, Mrs. MCCASKILL, and Mr. PORTMAN) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4552. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4555. Mr. LEE (for himself, Mrs. MILLER, Mr. SULLIVAN, Mr. ENSI, Mr. JACOBY, Mr. JOHNSON, Mr. ENZI, Mr. CASSIDY, Mr. CRUZ, Mr. BLUMENTHAL, Mr. BROWN, and Mr. NEUMANN) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4448. Mr. LEE (for himself, Mrs. FEINSTEIN, Mr. PAUL, Mr. UDALL, Mr. CRUZ, Ms. COLLINS, and Mr. HENRICH) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table; as follows:

**TEXT OF AMENDMENTS**

SA 4450. Mr. SULLIVAN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows: After section 1241, insert the following:

**SEC. 1031. PROHIBITION ON THE INDEFINITE DETENTION OF CITIZENS AND LAWFUL PERMANENT RESIDENTS.**

Section 4001 of title 18, United States Code, is amended—

(1) by striking subsection (a) and inserting the following:

“(a) No citizen or lawful permanent resident of the United States shall be imprisoned or otherwise detained by the United States except in accordance with the Constitution and pursuant to an Act of Congress that expressly authorizes such imprisonment or detention without charge or trial of a citizen or lawful permanent resident of the United States apprehended in the United States.

(2) by redesignating subsection (b) as subsection (c); and

(3) by inserting after subsection (a) the following:

“(d) A general authorization to use military force, a declaration of war, or any similar authority, on its own, shall not be construed to authorize the imprisonment or detention without charge or trial of a citizen or lawful permanent resident of the United States apprehended in the United States.”

SA 4449. Mr. BARRASSO (for himself and Mr. ENZI) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 341. AUTHORITY FOR AGREEMENTS TO REIMBURSE STATES FOR COSTS OF SUPPRESSING WILDFIRES ON STATE LANDS CAUSED BY DEPARTMENT OF DEFENSE, MILITARY CONSTRUCTION, AND OTHER GRANTS OF ACCESS TO STATE LANDS.**

Section 691 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(!) The Secretary of Defense may, in any lease, permit, license, or other grant of access for use of lands owned by a State, agree to reimburse the State for the reasonable costs of the State in suppressing wildland fires caused by the activities of the Department of Defense under such lease, permit, license, or other grant of access.”

SA 4455. Mr. LEAHY (for himself, Mr. FLAKE, Mr. CARDIN, and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

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

**Title II. Military Construction, National Security, and Related Agencies Appropriations for Fiscal Year 2017**

**SEC. 2541. Department of Defense.**

In the case of an unintentional discharge of a firearm in the United States, the United States shall not be liable for any injury caused by such discharge.
SEC. 1241A. UNITED STATES POLICY WITH RESPECT TO FREEDOM OF NAVIGATION OPERATIONS IN INTERNATIONAL WATERS AND AIRSPACE.

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

(1) The Declaration of Independence in 1776, which was inspired in part as a response to a “tyrant” who “plundered our seas, ravaged our Coasts” and who wrote laws “for cutting off our Trade with all parts of the world”; freedom of seas and promotion of international commerce have been core security interests of the United States.

(2) W AIVER.—The Secretary may waive a requirement in paragraph (1) to execute a freedom of navigation operation otherwise required pursuant to that paragraph, if by not later than January 31, 2017, the Secretary, and to the congressional defense committees, a report setting forth the results of the evaluation and assessment, including such recommendations for legislative and administrative action with respect to the financial resources of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SA 4451. Mr. HEINRICH submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 1046. INDEPENDENT STUDY ON OPERATION OF REMOTELY PILOTED AIRCRAFT BY ENLISTED AIR FORCE PERSONNEL.

(a) INDEPENDENT STUDY.—

(1) IN GENERAL.—The Secretary of the Air Force shall obtain an independent review and assessment of officer and enlisted pilots and crew in the remotely piloted aircraft (RPA) enterprise that determines the following:

(A) The appropriate balance of officer and enlisted pilots and crews in the remotely piloted aircraft enterprise.

(B) Any potential impacts on the future structure of the Air Force of incorporating enlisted personnel into the piloting of remotely piloted aircraft.

(2) CONSIDERATIONS IN DETERMINING BALANCE.—The balance determined pursuant to subsection (a) shall include the following:

(A) A detailed discussion of the specific assumptions, observations, conclusions, and recommendations of the study.

(B) A detailed description of the modeling and analysis techniques used for the study.

SA 4453. Mr. HEINRICH submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 3548. CONGRESSIONAL RECORD.—SENATE

June 7, 2016
SEC. 1123. DIRECT HIRE AUTHORITY FOR SCIENTIFIC, ENGINEERING, AND OTHER PROFESSIONS FOR TEST AND EVALUATION FACILITIES OF THE MAJOR RANGE AND TEST FACILITY BASE.

(a) In general.—The Secretary of Defense may, through the Director of Operational Test and Evaluation and the Directors of the test and evaluation facilities of the Major Range and Test Facility Base of the Department of Defense, appoint qualified candidates possessing a college degree in scientific, engineering, technical, and key support positions within the Office of the Director of Operational Test and Evaluation and the test and evaluation facilities of the Major Range and Test Facility Base without regard to the provisions of chapter 33 of title 5, United States Code, other than sections 3303 and 3328 of such title.

(b) Limitation on number.—

(1) In general.—Authority under this section may not, in any calendar year and with respect to the Office of the Director of Operational Test and Evaluation or any test and evaluation facility, be exercised with respect to a number of candidates greater than the number equal to 5 percent of the total number of positions described in subsection (a) within the Office or such facility that are filled as of the close of the fiscal year last ending before the start of such calendar year.

(2) Nature of appointment.—For purposes of this subsection, any candidate appointed to a position under this section shall be treated as appointed on a full-time equivalent basis.

(c) Termination.—The authority to make appointments under this section shall not be available after December 31, 2021.

(d) Major Range and Test Facility Base Defined.—In this section, the term "Major Range and Test Facility Base" means the test and evaluation facilities that are designated by the Secretary as facilities and resources comprising the Major Range and Test Facility Base of the Department.

SA 4455. Mrs. SHAHEEN (for herself and Ms. Ayotte) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1123 and insert the following:

SEC. 1123. DIRECT HIRE AUTHORITY FOR SCIENTIFIC, ENGINEERING, AND OTHER PROFESSIONS FOR TEST AND EVALUATION FACILITIES OF THE MAJOR RANGE AND TEST FACILITY BASE.

(a) In general.—The Secretary of Defense may, through the Director of Operational Test and Evaluation and the Directors of the test and evaluation facilities of the Major Range and Test Facility Base of the Department of Defense, appoint qualified candidates possessing a college degree in scientific, engineering, technical, and key support positions within the Office of the Director of Operational Test and Evaluation and the test and evaluation facilities of the Major Range and Test Facility Base without regard to the provisions of chapter 33 of title 5, United States Code, other than sections 3303 and 3328 of such title.

(b) Limitation on number.—

(1) In general.—Authority under this section may not, in any calendar year and with respect to the Office of the Director of Operational Test and Evaluation or any test and evaluation facility, be exercised with respect to a number of candidates greater than the number equal to 5 percent of the total number of positions described in subsection (a) within the Office or such facility that are filled as of the close of the fiscal year last ending before the start of such calendar year.

(2) Nature of appointment.—For purposes of this subsection, any candidate appointed to a position under this section shall be treated as appointed on a full-time equivalent basis.

(c) Termination.—The authority to make appointments under this section shall not be available after December 31, 2021.

(d) Major Range and Test Facility Base Defined.—In this section, the term "Major Range and Test Facility Base" means the test and evaluation facilities that are designated by the Secretary as facilities and resources comprising the Major Range and Test Facility Base of the Department.

SA 4456. Mr. MERCLEY submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1097. PROGRAM TO INCREASE EFFICIENCY IN HIRING AND HIRING BY THE DEPARTMENT OF VETERANS AFFAIRS OF HEALTH CARE WORKERS SEPARATING FROM THE ARMED FORCES.

(a) Program.—The Secretary of Veterans Affairs shall, in coordination with the Secretaries of Defense, Energy, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

(b) Sharing of information.—

(1) Submit to list.—For purposes of carrying out the program, not less frequently than once per year (or a shorter period that the Secretary of Veterans Affairs and the Secretary of Defense may jointly specify), the Secretary of Defense shall submit to the Secretary of Veterans Affairs a list of members of the Armed Forces, including the reserve components, who—

(A) served in a health care capacity while serving as a member of the Armed Forces;

(B) are undergoing or have undergone separation from the Armed Forces during the period covered by the list; and

(C) will be discharged from the Armed Forces under unfavorable conditions, as determined by the Secretary of Defense, or have been discharged from the Armed Forces under unfavorable conditions during the period covered by the list.

(2) Use of occupational codes.—Each list submitted under paragraph (1) shall include—

(A) a list of members of the Armed Forces who were assigned, a Military Occupational Specialty Code, an Air Force Specialty Code, or a United States Navy rating indicative of service in a health care capacity.

(b) Information included.—Each list submitted under paragraph (1) shall include the following information, to the extent such information is available to the Secretary of Defense, with respect to each member of the Armed Forces included in such list:

(A) Contact information.

(b) Assessment of performance of transistors described in subsection (a) in radiation-hardened applications.

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

(1) an assessment of the performance of transistors described in subsection (a) in radiation-hardened applications.

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pursuant to such regulations as the Secretary may prescribe for such purpose.

“(2) Renewal of credentials under this section may not be required solely because an employee moves from one facility of the Department to another.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 74 of such title is amended by inserting after the item relating to section 7423 the following new item:

“7423A. Personnel administration: uniform credentialing process.”.

(c) EFFECTIVE DATE.—The Secretary of Veterans Affairs shall implement the uniform credentialing process required under section 7423A of such title, as added by subsection (a), not later than one year after the date of the enactment of this Act.

SA 4457. Mr. MERKLEY (for himself and Mr. MARKEY) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1655. PLAN TO MODERNIZE THE NUCLEAR WEAPONS STOCKPILE.


“(3) by adding after subparagraph (F) the following new subparagraphs:

“(G) Plans for the implementation of the modernization and sustainment plans for such nuclear weapons stockpile shall be submitted to the Congress not later than one year after the date of enactment of this Act and annually thereafter.

“(H) Modernization and sustainment plans for such nuclear weapons stockpile shall be reviewed by the Administrator in coordination with the Secretary, and the Administrator shall submit a report to the Congress not later than one year after the date of enactment of this Act and annually thereafter, that describes—

“(i) the progress made in the implementation of the plans; and

“(ii) the projected costs of the implementation of the plans.”.

SEC. 1097. CLOSURE OF ST. MARYS AIRPORT, ST. MARYS, GEORGIA.

(a) RELEASE OF RESTRICTIONS.—Subject to subsection (b), the United States, acting through the Federal Aviation Administration, shall release the City of St. Marys, Georgia, from all restrictions, conditions, and limitations on the use, transfer, encumbrance, conveyance, and closure of the St. Marys Airport, to the extent such restrictions, conditions, and limitations are enforceable by the Administrator.

(b) REQUIREMENTS FOR RELEASE OF RESTRICTIONS.—The Administrator shall execute the release under subsection (a) once all of the following occur:

(1) The Secretary of the Navy transfers to the Georgia Department of Transporation the amounts described in subsection (c) and requires as an enforceable condition on such transfer that all funds transferred shall be used only for airport development (as defined in section 47102 of title 49, United States Code) of a regional airport in Georgia, consistent with planning efforts conducted by the Administrator and the Georgia Department of Transportation.

(2) The City of St. Marys, for consideration as provided for in subchapter V of title 44, for the United States, under the administrative jurisdiction of the Secretary, a restrictive use easement in the real property used for the St. Marys Airport, acceptable to the Secretary, under such terms and conditions that the Secretary considers necessary to protect the interests of the United States and prohibit the future use of such property for all aviation-related purposes and any other purposes deemed by the Secretary to be incompatible with the operations, functions, and missions of Naval Submarine Base, Kings Bay, Georgia.

(3) The Secretary obtains an appraisal to determine the fair market value of the real property used for the St. Marys Airport in the manner described in subsection (c)(1).

(4) The Administrator fulfills the obligations under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) in connection with the release under subsection (a).

(c) TRANSFER OF AMOUNTS DESCRIBED.—The Administrator and the Secretary may pay the amounts described in subsection (c) to the Georgia Department of Transportation, conditioned as described in subsection (b).

(d) AUTHORIZATION FOR TRANSFER OF FUNDS.—Using funds available to the Department of the Navy for operation and maintenance, the Secretary may pay the amounts described in subsection (c) to the Georgia Department of Transportation, conditioned as described in subsection (b).

(e) ADDITIONAL REQUIREMENTS.—

(1) SURVEY.—The exact acreage and legal description of St. Marys Airport shall be determined by a survey by the Secretary and concurred in by the Administrator.

(2) PLANNING OF REGIONAL AIRPORT.—Any planning effort for the development of a regional airport in southeast Georgia shall be conducted in coordination with the Secretary, and shall ensure that any such regional airport does not interfere with the operations, functions, and missions of Naval Submarine Base, Kings Bay, Georgia. The determination of the Secretary shall be final as to whether the operations of a new regional airport in southeast Georgia would interfere with such military operations.

SA 4459. Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 877. COMPTROLLER GENERAL REPORT ON SOLID ROCKET MOTOR (SRM) INDUSTRIAL BASE FOR TACTICAL MISSILES.

(a) IN GENERAL.—Not later than March 31, 2017, the Comptroller General of the United States shall submit to the congressional defense committees a report on the solid rocket motor (SRM) industrial base for tactical missiles.

(b) ELEMENTS.—The report required under subsection (a) shall include the following elements:
(1) A review of all Department of Defense reports that have been published since 2009 on the United States tactical solid rocket motor (SRM) industrial base, together with the analysis of those reports.

(2) An examination of the factors the Department uses in awarding SRM contracts and that Department of Defense contractors use in awarding SRM subcontracts, including cost, technical qualifications, supply chain diversification, past performance, and other evaluation factors, such as meeting offset obligations under foreign military sales agreements.

(3) An assessment of the foreign-built portion of the United States SRM market and of the effectiveness of actions taken by the Department to address the declining state of the United States tactical SRM industrial base.

SA 4461. Mr. MANCHIN (for himself and Mr. TILLIS) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 563. ACCESS TO DEPARTMENT OF DEFENSE INSTALLATIONS OF INSTITUTIONS OF HIGHER EDUCATION PROVIDING CERTAIN ADVISING AND STUDENT SUPPORT SERVICES.

(a) In General.—Chapter 101 of title 10, United States Code, is amended by inserting after section 2012 the following new section:

"(2) SCOPE OF ACCESS.—
"(A) Access may be granted under paragraph (1) in a nondiscriminatory manner to any institution covered by that paragraph regardless of the particular learning modality offered by that institution.
"(B) STUDENT ADVISING AND RELATED SUPPORT.—Access granted in accordance with paragraph (1)(B) shall be limited to face-to-face student advisement and related support services for such institution's students who are enrolled as of the date of the advisement and provision of related support services.
"(C) TRANSITION ASSISTANCE PROGRAM.—Access granted in accordance with paragraph (1)(B) shall be limited to face-to-face student advisement and related support services for students and members of the armed forces who have elected to participate in the higher education track of the Transition Assistance Program but shall not occur during the Transition Assistance Program.

(b) C LERICAL AMENDMENT.—The table of sections at the beginning of chapter 101 of such title is amended by inserting after the section entitled "Voluntary Education Programs", or any successor Department of Defense Instruction.".

SA 4462. Ms. HEITKAMP (for herself and Ms. AYOTTE) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 1097. NORTHERN BORDER THREAT ANALYSIS.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘appropriate congressional committees’ means—

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

(B) the Committee on Appropriations of the Senate;

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

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

(E) the Committee on Homeland Security of the House of Representatives;

(F) the Committee on Appropriations of the House of Representatives;

(G) the Committee on the Judiciary of the House of Representatives;

(H) the Committee on Armed Services of the House of Representatives.

(2) NORTHERN BORDER.—The term ‘Northern Border’ means the land and maritime borders between the United States and Canada.

(b) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security shall submit to the appropriate congressional committees a Northern Border threat analysis that includes—

(1) current and potential terrorist and criminal threats posed by individuals and organized groups seeking—

(A) to enter the United States through the Northern Border; or

(B) to exploit border vulnerabilities on the Northern Border;

(2) improvements needed at and between ports of entry along the Northern Border—

(A) to prevent terrorists and instruments of terrorism from entering the United States; and

(B) to reduce criminal activity, as measured by the total flow of illegal goods, illicit drugs, and smuggled and trafficked persons moved in either direction across the Northern Border;

(3) gaps in law, policy, cooperation between State, tribal, and local law enforcement, international agreements, or tribal agreements that hinder effective and efficient border security, counter-terrorism, anti-human smuggling and trafficking efforts, and the flow of legitimate trade along the Northern Border; and

(4) whether additional U.S. Customs and Border Protection preclearance and preinspection operations at ports of entry along the Northern Border could help prevent terrorists and instruments of terror from entering the United States.

(c) ANALYSIS REQUIREMENTS.—For the threat analysis required under subsection (b), the Secretary of Homeland Security shall consider and examine—

(1) technology needs and challenges;

(2) personnel needs and challenges;
(3) the role of State, tribal, and local law enforcement in general border security activities;
(4) the need for cooperation among Federal, State, tribal, and Canadian law enforcement entities relating to border security;
(5) the terrain, population density, and climate along the Northern Border; and
(6) the needs and challenges of Department of Homeland Security facilities, including the physical approaches to such facilities.

(d) Classified Threat Analysis.—To the extent possible, the Secretary of Homeland Security shall submit the threat analysis required under subsection (b) in unclassified form. The Secretary may submit a classified supplement to the threat analysis in classified form if the Secretary determines that such form is appropriate for that portion.

SA 4463. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:
At the end of subtitle C of title I, add the following:

SEC. 128. TESTING AND INTEGRATION OF MINEHUNTING SONARS FOR LITTORAL COMBAT SHIP MINE HUNTING CAPABILITIES.

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

(1) The Department of the Navy has determined that the Remote Minehunting system (RMS) has not performed satisfactorily and that the program will be restructured to accelerate a less capable variant on the RMS into the Littoral Combat Ship.
(2) On February 26, 2016, Secretary of the Navy Ray Mabus stated that new testing must be done to find a permanent solution to the minecountermeasures mission package and that the Navy wants to "get it out there as quickly as you can and test it in a more realistic environment.
(3) Restructuring a program the Department of the Navy has determined will be discontinued is not the best use of taxpayer dollars.
(4) There are several mature unmanned surface vehicle-towed and unmanned underwater vehicle-based synthetic aperture sonars sensors (SAS) in use by navies of allied nations.
(5) SAS sensors are currently in operation and performing well.
(6) SAS sensors provide a technology that is operational and ready to meet the Littoral Combat Ship minehunting area clearance rate required requirement.

(b) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than September 30, 2016, the Secretary of the Navy shall—
(A) conduct operational at-sea testing and experimentation of those currently available and deployed United States and allied conventional side-scan sonar and synthetic aperture sonar technology.
(B) complete an assessment of all minehunting sonar technologies that can meet the minecountermeasures mission packages requirements.
(C) submit to the congressional defense committees a report that contains the findings of the at-sea testing and experimentation and any other available data. The report shall contain an evaluation of all captures technologies that found suitable for performing the Littoral Combat Ship minehunting mission.

SA 4464. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 1027. UNCLASSIFIED NOTICE AND MEMORANDUM OF UNDERSTANDING BETWEEN THE UNITED STATES AND THE FOREIGN COUNTRY OR ENTITY CONCERNED BEFORE TRANSFER OF ANY DETAINEE AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO A FOREIGN COUNTRY OR ENTITY.

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

(1) The detention facilities at United States Naval Station, Guantanamo Bay, Cuba, were established for the purpose of detaining those who plan, authorize, commit, or aid in the planning, authorizing, or committing of acts of terrorism against the United States.
(2) The facilities have detained individuals who have killed, maimed, or otherwise harmed innocent civilians and members of the United States Armed Forces, as well as combatants who have received specialized training in the conduct and facilitation of acts of terrorism against the United States, its citizens, and its allies. This includes the mastermind Khalid Sheik Mohammed and scores of other known terrorists.
(3) The location of the detention facilities at Guantanamo Bay poses a threat to the United States, its citizens, and its allies. No prisoner has ever escaped from Guantanamo Bay.
(4) On January 22, 2009, President Barack Obama issued Executive Order 13492 ordering the closure of the detention facilities at Guantanamo Bay, consistent with the national security and foreign policy interests of the United States and the interests of justice.
(5) Executive Order 13492 directs the Department of State to participate in the review of each detainee to determine whether it is possible to transfer or release the individual consistent with the national security and foreign policy interests of the United States.
(6) The Secretary of State is ordered to expedite the review and consideration of transfers and diplomatic efforts with foreign governments as are necessary and appropriate to implement Executive Order 13492.
(7) The Department of State has played a substantial role in the review and transfer of enemy combatants from the jurisdiction of the United States to the custody and control of foreign governments through the appointment of a Special Envoy for Guantanamo Closure.
(8) President Obama has released numerous detainees from Guantanamo Bay and the Department of State has taken steps to facilitate the return, for example by working with the governments of countries that are taking the lead or who have agreed to receive these individuals.
(9) The transfer of individuals from Guantanamo Bay to foreign countries sharply increased from 2014 to 2016, bringing the number of detainees remaining at Guantanamo Bay to less than 100.
(10) The administration often transfers detainees to countries in close proximity to their countries of origin. In some cases, prisoners have been released to foreign countries that lack of United States diplomatic facilities located in countries with governments that have publicly stated no intention to monitor or receive the travel of potentially dangerous former detainees or that otherwise lack the capacity to mitigate threat potential.
(11) The administration is required to notify Congress of its intent to transfer individuals detained at Guantanamo pursuant to section 1034 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92) and certify that among other things, the foreign country to which the individual is proposed to be transferred has taken or agreed to take appropriate steps to substan- tially mitigate any risks the individual could attempt to reengage in terrorist activity or otherwise threaten the United States or its allies or interests.
(12) While not required by law, the administration has classified these notifications so that only a small number of individuals are able to know their contents.
(13) The information contained in such a notice does not warrant classification, given that third-party nations and the detainees themselves possess such information.
(14) The decision to classify the notice and certification results in a process that is not transparent, thereby preventing the American public from knowing pertinent information about the release of certain individuals.

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

(1) the people of the United States deserve to know who is being released from the detention facilities at United States Naval Station, Guantanamo Bay, Cuba, their countries of origin, their destinations, and the ability of the host nation to prevent recidivism, and the ability of the host nation to prevent recidivism, and the administration has classified these notifications so that only a small number of individuals are able to know their contents.
(2) the people of the United States deserve transparency in the manner in which the Obama Administration compiles with Executive Order 13492.
(c) NOTICE REQUIRED.—Not less than 30 days prior to the transfer of any individual detained at Guantanamo to the custody or control of any foreign country, any other foreign country, or any other foreign entity, the Secretary of Defense shall, in consultation with the Secretary of State, brief the appropriate committees of Congress an unclassified notice that includes—

(A) the name, country of origin, and country of destination of each detainee;
(B) the number of individuals detained at Guantanamo previously transferred to the...
country to which the individual is proposed to be transferred; and
(3) the number of such individuals who are known or suspected to have engaged in ter-
rorist activity after being transferred to that country.
(d) BRIEFING.—The Secretary of Defense shall brief the appropriate committees of Congress on the proposed transfers required by subsection (c). Such brief-
ing shall include an explanation of why the destination country was chosen for the trans-feree and an overview of countries being considered for future transfers.
(e) MEMORANDUM OF UNDERSTANDING.—Sec-
(1) in paragraph (3), by striking “and” at the end;
(2) by redesignating paragraph (4) as para-
graph (5); and
(3) by inserting after paragraph (3) the fol-
lowing new paragraph (4):
“(4) both—
“(A) the United States Government, on the one hand, and the government of the foreign country, on the other hand, have en-
tered into a written memorandum of understand-
ing (MOU) regarding the transfer of the individ-
ual; and
“(B) the memorandum of understand-
ing—
“(i) has been transmitted to the appro-
priate committees of Congress in unclassi-
ified form; and
“(ii) the Secretary determines that the memorandum must be transmitted to the appropriate commit-
tees of Congress in unclassified form, on the Sec-
retary determines that the assessment must be trans-
mitted to the appropriate commit-
tees of Congress in classified form and, upon making such determination, submits to Congress a detailed unclassified report explaining why the memorandum of understand-
ing is being kept classified; and
“(ii) the assessment of the capac-
ity, willingness, and past practices (if appli-
cable) of the foreign country or foreign enti-
ty, as the case may be, with respect to the matters certified by the Secretary pursuant to paragraphs (2) and (3) that has been trans-
mitted to the appropriate committee of Con-
gress in unclassified form (unless the Sec-
retary determines that the assessment must be trans-
mitted to the appropriate commit-
tees of Congress in classified form and, upon making such determination, submits to Congress a detailed unclassified report explaining why the assessment is being kept classi-
ified); and
”;
(5) BEGGINNING OF CONSTRUCTION.—Nothing in this section shall be construed to be inconsistent with the requirements of section 1034 of the National Defense Authorization Act for Fiscal Year 2016.
(6) DEFINITIONS.—In this section:
(1) the term “appropriate committees of Congress” means—
(A) the Committees on Armed Services,
the Committee on Appropriations, and the Com-
mittee on Foreign Relations of the Senate;
and
(B) the Committee on Armed Services,
the Committee on Appropriations, and the Com-
mittee on Foreign Affairs of the House of Repre-
sentatives;
(2) the term “individual detained at Guan-
tanamo” has the meaning given such term in section 1034(f)(2) of the National Defense Au-
thorization Act for Fiscal Year 2016.

SA 4465. Mr. JOHNSON submitted an amend-
ment intended to be proposed by him to the bill S. 2943, to authorize appro-
priations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the De-
partment of Energy, to prescribe mili-
tary personnel strengths for such fiscal year, and for other purposes; which was or-
dered to lie on the table; as follows:

At the end of subtitle I of title X, add the fol-
lowing:

**SEC. 1057. CRITICAL INFRASTRUCTURE PROTEC-
TION ACT.**

(a) SHORT TITLE.—This section may be
cited as the “Critical Infrastructure Protec-
tion Act of 2016”.

(b) EMP AND GMD PLANNING, RESEARCH AND DEVELOPMENT, AND PROTECTION AND PRE-
PAREDNESS.—

(1) IN GENERAL.—The Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended—
(A) in section 2 (6 U.S.C. 101)—
(i) by redesignating paragraphs (9) through (18) as paragraphs (11) through (20), re-
spectively;
(ii) by redesignating paragraphs (7) and (8) as paragraphs (8) and (9), respect-
ively;
(iii) by inserting after paragraph (8) the fol-
lowing:
“(9) The term ‘EMP’ means a magnetic pulse caused by a nuclear device or nonnuclear device, including such a pulse caused by an act of terrorism;”;
(iii) by inserting after paragraph (9), as so redesignated, the following:
“(10) The term ‘GMD’ means a geo-

magnetic disturbance caused by a solar storm or another naturally occurring phe-
nomenon.”;
(B) in section 201(d) (6 U.S.C. 121(d)), by adding at the end the following:
“(20)(A) To conduct an intelligence-based review and comparison of the risk and conse-
quences of threats and hazards, including GMD and EMP, facing critical infrastruc-
tures, and prepare and submit to the Com-
mittee on Homeland Security and Govern-
mental Affairs of the Senate and the Com-
mittee on Homeland Security of the House of Repre-
sentatives—
(i) a recommended strategy to protect and prepare the critical infrastructure of the American homeland against threats of EMP and GMD, including from acts of terrorism; and
(ii) not less frequently than every 2 years, updates of the recommended strategy.
(B) The recommended strategy under sub-
paragraph (A) shall—
(i) be based on findings of the research and development conducted under section 319;
(ii) be developed in consultation with the relevant Federal sector-specific agencies (as defined under Presidential Policy Directive-
21) for critical infrastructures;
(iii) be developed in consultation with the relevant sector coordinating councils for critical infrastructures;
(iv) be informed, to the extent prac-
ticable, by the findings of the intelligence-
based review and comparison of the risk and conse-
quences of threats and hazards, including GMD and EMP, facing critical infrastruc-
tures conducted under paragraph (A); and
(v) be submitted in unclassified form, but may include a classified annex.
(C) The Secretary may, if appropriate, in-
corporate, in the recommended strategy into a broader recommendation developed by the Department to help protect and prepare crit-
ical infrastructure from terrorism, cyber at-
tacks, and other threats, if, as incorporated, the recommended strategy complies with subparagraph (B);”;
(C) in title III (6 U.S.C. 181 et seq.), by add-
ing at the end the following:

**SEC. 319. GMD AND EMP MITIGATION RE-
SEARCH AND DEVELOPMENT.**

(1) IN GENERAL.—In furtherance of domes-
tic preparedness, the Secretary, acting through the Under Secretary for Science and Technology, and in consultation with other relevant executive agencies and relevant owners and operators of critical in-
frastructure, shall, to the extent practicable, conduct research and development to miti-
gate the consequences of threats of EMP and GMD.

(2) SCOPE.—The scope of the research and development under subsection (a) shall in-
clude the following:

“(A) An objective scientific analysis—
(1) evaluating the risks to critical infra-
structures from a range of threats of EMP and GMD;
and
(2) evaluating the risks to critical infra-
structures from a range of threats of EMP and GMD;
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(2) evaluating the risks to critical infra-
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structures from a range of threats of EMP and GMD;
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(2) evaluating the risks to critical infra-
structures from a range of threats of EMP and GMD;
SA 4467. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1097. PUBLICATION OF INFORMATION ON PROVISION OF HEALTH CARE BY DEPARTMENT OF VETERANS AFFAIRS AND ABUSE OF OPIOIDS BY VETERANS.

(a) PUBLICATION OF INFORMATION.—Not later than 180 days after the date of enactment of this Act, and not less frequently than once every 180 days thereafter, the Secretary of Veterans Affairs shall publish on a publicly available Internet website of the Department of Veterans Affairs information on the provision of health care by the Department and the abuse of opioids by veterans.

(b) ELEMENTS.—

(1) HEALTH CARE.—

(A) In general.—Each publication required by subsection (a) shall include, with respect to each medical facility of the Department during the 180-day period preceding such publication, the following:

(i) The average number of patients seen per month by each primary care physician.

(ii) The average length of stay for inpatient care.

(iii) A description of any hospital-acquired condition acquired by a patient.

(iv) The rate of readmission of patients within 30 days of release.

(v) The rate at which opioids are prescribed to each patient.

(vi) The average wait time for emergency room treatment.

(vii) A description of any scheduling backlog with respect to each medical facility.

(B) ADDITIONAL ELEMENTS.—The Secretary may include in each publication required by subsection (a) such additional information on the safety and health of medical facilities of the Department, health outcomes at such facilities, and quality of care at such facilities as the Secretary considers appropriate.

(C) SEARCHABILITY.—The Secretary shall ensure that information described in subparagraph (A) that is included on the Internet website required by subsection (a) is searchable by individual facility.

(2) OPIOID ABUSE BY VETERANS.—Each publication required by subsection (a) shall include, for the 180-day period preceding such publication, the following information:

(A) The number of veterans prescribed opioids by health care providers of the Department.

(B) A comprehensive list of all facilities of the Department offering an opioid treatment program, including details on the types of services available at each facility.

(C) The number of veterans treated by a health care provider of the Department for opioid abuse.

(D) Of the veterans described in subparagraph (A) of this section, the number of veterans treated for opioid abuse in conjunction with posttraumatic stress disorder, depression, or anxiety.

(E) With respect to veterans receiving treatment for opioid abuse—

(i) the average number of times veterans reported abusing opioids before beginning such treatment; and

(ii) the main reasons reported by the Department to veterans as to how they came to receive such treatment, including self-referral, recommendation by a physician or family member.

(c) PERSONAL INFORMATION.—The Secretary shall ensure that personal information contained in information published under subsection (a) is protected from disclosure as required by applicable law.

(d) COMPTROLLER GENERAL REPORT.—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 setting forth recommendations for additional elements to be included with the information published under subsection (a) to improve the evaluation and assessment of the safety and health of individuals receiving health care under the laws administered by the Secretary and the quality of health care received by such individuals.

SA 4468. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION F—WHISTLEBLOWER PROTECTIONS

SEC. 6001. SHORT TITLE.

This division may be cited as the “Dr. Chris Kirkpatrick Whistleblower Protection Act of 2016.”

TITLE LXI—EMPLOYEES GENERALLY

SEC. 6101. DEFINITIONS.

In this title—

(1) the terms “agency” and “personnel action” have the meanings given such terms under section 2302 of title 5, United States Code; and

(2) the term “employee” means an employee of an agency.

SEC. 6102. STATUTES; PROBATIONARY EMPLOYEES.

SEC. 6102(b).—Section 1214(b)(1) of title 5, United States Code, is amended by adding at the end the following:

“(E) If the Merit Systems Protection Board grants a stay under this subsection, the head of the agency employing the employee shall give priority to a request for a transfer submitted by the employee.”.

(c) STUDY REGARDING RETALIATION AGAINST PROBATIONARY EMPLOYEES.—The Comptroller General of the United States shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representa
tives a report discussing retaliation against employees in probationary status.
SEC. 6100. ADEQUATE ACCESS OF SPECIAL COUNSEL TO INFORMATION.

Section 1212(b) of title 5, United States Code, is amended by adding at the end the following:

“(5) The Special Counsel, in carrying out this subchapter, is authorized to—

(A) have access to all records, reports, audits, reviews, documents, papers, recommendations, or other material available to the applicable agency which relate to a matter within the jurisdiction or authority of the Special Counsel; and

(B) request from any agency such information or assistance as may be necessary for carrying out the duties and responsibilities of the Special Counsel under this subchapter.”.

SEC. 6104. PROHIBITED PERSONNEL PRACTICES.

Section 2302(b) of title 5, United States Code, is amended—

(1) in paragraph (12), by striking “or” at the end;

(2) in paragraph (13), by striking the period at the end and inserting “; and”;

(3) by inserting after paragraph (13) the following:

“(14) violates the medical record of another employee for the purpose of retaliation for a disclosure or activity protected under paragraph (8) or (9).”;

SEC. 6105. DISCIPLINE OF SUPERVISORS BASED ON RETALIATION AGAINST WHISTLEBLOWERS.

(a) IN GENERAL.—Subchapter II of chapter 75 of title 5, United States Code, is amended by adding at the end the following:

“§ 7515. Discipline of supervisors based on retaliation against whistleblowers

“(a) DEFINITIONS.—In this section—

“(1) agency means an entity that is an agency, as defined under section 2302, without regard to whether any other provision of this chapter is applicable to the entity;

“(2) the term ‘prohibited personnel action’ means taking or failing to take an action in violation of paragraph (8), (9), or (14) of section 2302(b) against an employee of an agency; and

“(3) the term ‘supervisor’ means an employee of an agency who would be a supervisor, as defined under section 7104(a), if this chapter applied to the agency employing the employee.

“(b) PROPOSED ADVERSE ACTIONS.—

“(1) in accordance with paragraph (2), the head of an agency shall propose against a supervisor whom the head of that agency, an administrative law judge, the Merit Systems Protection Board, the Office of Special Counsel, an adjudicating body provided under a union contract, a Federal judge, or the Inspector General of the agency determines committed a prohibited personnel action the following adverse actions:

“(A) With respect to the first prohibited personnel action, an adverse action that is not less than a 12-day suspension.

“(B) With respect to the second prohibited personnel action, removal.

“(2) PROCEDURES.—

“(A) Notice.—A supervisor against whom an adverse action under paragraph (1) is proposed is entitled to written notice.

“(B) ANSWER AND EVIDENCE.—

“(1) IN GENERAL.—A supervisor who is notified under subparagraph (A) that the supervisor is the subject of a proposed adverse action under paragraph (1) is entitled to 14 days after notification to answer and furnish evidence in support of the answer.

“(2) NO EVIDENCE.—After the end of the 14-day period described in clause (1), if a supervisor does not furnish evidence as described in clause (1) or if the head of the agency determines that such evidence is not sufficient to reverse the proposed adverse action, the head of the agency shall carry out the adverse action.

“(c) COURT OF PROCEDURE.—Paragraphs (1) and (2) of subsection (b) of section 7513, subsection (c) of such section, paragraphs (1) and (2) of subsection (b) of section 7543, and subsection (c) of such section, shall not apply with respect to an adverse action carried out under this subsection.

“(d) LIMITATION ON OTHER ADVERSE ACTIONS.—With respect to a prohibited personnel action, if the head of the agency carries out an adverse action against a supervisor under another provision of law, the head of the agency may carry out an additional adverse action under this section based on the same prohibited personnel action.

“(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for subchapter II of chapter 75 of title 5, United States Code, is amended by adding at the end the following:

“7515. Discipline of supervisors based on retaliation against whistleblowers.”.

SEC. 6106. SUICIDE BY EMPLOYEES.

(a) REFERRAL.—The head of an agency shall refer to the Office of Special Counsel, along with any complaint made to the agency regarding the circumstances described in paragraphs (2) and (3), any instance in which the head of the agency has information indicating—

“(1) an employee of the agency committed suicide;

“(2) prior to the death of the employee, the employee made any disclose of information which reasonably evidences—

“(A) any violation of any law, rule, or regulation; or

“(B) gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety; and

“(3) after a disclose described in paragraph (2), a personnel action was taken against the employee.

(b) OFFICE OF SPECIAL COUNSEL REVIEW.—

For any referral to the Office of Special Counsel under subsection (a), the Office of Special Counsel shall—

“(1) examine whether any personnel action was taken because of any disclosure of information which reasonably evidences—

“(A) any violation of any law, rule, or regulation; or

“(B) gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety;

“(2) take any action the Office of Special Counsel determines under subchapter II of chapter 12 of title 5, United States Code.

SEC. 6107. TRAINING FOR SUPERVISORS.

In the provision of the Office of Special Counsel and the Inspector General of the agency (or senior ethics official of the agency for an agency without an Inspector General), the head of the agency shall provide training regarding how to respond to complaints alleging a violation of whistleblower protections, including—

“(1) information regarding whistleblower protections available to new employees during the probationary period;

“(2) the role of the Office of Special Counsel and the Merit Systems Protection Board with regard to whistleblower protections; and

“(3) how to make a lawful disclosure of information that is specifically required by law or Executive order to be kept classified, and remedied in the interest of national defense or the conduct of foreign affairs to the Special Counsel, the Inspector General of the agency, Congress, or other agencies designated to receive such disclosures.

“(c) TRAINING.—The head of each agency shall ensure that all employees who are required to be provided under subsection (b) is provided to each new employee of the agency not later than 6 months after the date the new employee is appointed.

“(d) INFORMATION ONLINE.—The head of each agency shall make available information regarding whistleblower protections applicable to employees of the agency on the public website of the agency, and on any online portal that is made available only to employees of the agency if one exists.

“(e) DELEGATES.—Any employee to whom the head of an agency delegates authority
for personnel management, or for any aspect thereof, shall, within the limits of the scope of the delegation, be responsible for the activities described in subsection (b).

(c) CONFORMING AMENDMENT.—The table of sections for chapter 23 of title 5, United States Code, is amended by adding at the end of the chapter the following: "2307. Information on whistleblower protections."

TITLE LXII—DEPARTMENT OF VETERANS AFFAIRS EMPLOYEES

SEC. 6201. PROGRAM OF UNAUTHORIZED ACCESS TO MEDICAL RECORDS OF EMPLOYEES OF THE DEPARTMENT OF VETERANS AFFAIRS

(a) DEVELOPMENT OF PLAN.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall—

(A) develop a plan to prevent access to the medical records of employees of the Department of Veterans Affairs by employees of the Department who are not authorized to access such records;

(B) submit to the appropriate committees of Congress the plan developed under subparagraph (A); and

(C) upon request, provide a briefing to the appropriate committees of Congress with respect to the plan developed under subparagraph (A).

(b) ELEMENTS.—The plan required under paragraph (1) shall include the following:

(A) A description of the strategy and goals of the Department for the prevention of unauthorized access to the medical records of employees of the Department.

(B) A list of circumstances in which an employee of the Department of Veterans Affairs to whom access is available to them.

(C) A description of the strategy and goals of the Department for the prevention of unauthorized access to the medical records of employees of the Department.

(D) Steps the Secretary will take, including plans to issue new regulations, as necessary, to ensure that an employee of the Department may not access the medical records of another employee of the Department without sufficient need to access such records.

(E) Steps the Secretary will take, including plans to issue new regulations, as necessary, to ensure that an employee of the Department may not access the medical records of another employee of the Department without sufficient need to access such records.

(F) An estimate of the costs associated with implementing such plan.

(§000) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term "appropriate committees of Congress" means—

(1) the Committee on Homeland Security and Governmental Affairs and the Committee on Veterans' Affairs of the Senate; and

(2) the Committee on Oversight and Government Reform and the Committee on Veterans Affairs of the House of Representatives.

SEC. 6202. OUTREACH ON AVAILABILITY OF MENTAL HEALTH SERVICES AVAILABLE TO VETERANS OF THE DEPARTMENT OF VETERANS AFFAIRS

The Secretary of Veterans Affairs shall conduct a program of outreach to employees of the Department of Veterans Affairs to inform those employees of any mental health services, including telemedicine options, that are available to them.

SEC. 6203. PROTOCOLS TO ADDRESS THREATS AGAINST EMPLOYEES OF THE DEPARTMENT OF VETERANS AFFAIRS

The Secretary of Veterans Affairs shall ensure protocols are in effect to address threats from individuals receiving health care from the Department of Veterans Affairs directed towards employees of the Department who are providing such health care.

SEC. 6204. COMPTROLLER GENERAL OF THE UNITED STATES STUDY ON ACCOUNTABILITY OF CHIEFS OF OFFICE OF DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTERS

The Comptroller General of the United States shall conduct a study to assess the reporting, staffing, accountability, and chain of command structure of the Department of Veterans Affairs police officers at medical centers of the Department.

SEC. 6205. SENSE OF THE SENATE REGARDING THE EUROPEAN UNION RENEWING ECONOMIC SANCTIONS ON RUSSIA AS A RESULT OF RUSSIA'S ANNEXATION OF CRIMEA AND ACTIONS DESTABILIZING EASTERN UKRAINE

(a) FINDINGS.—The Senate makes the following findings:

(1) In July 2014, the European Union imposed economic sanctions against Russia for its annexation of Crimea and destabilizing machinations in the Crimea and Luhansk regions in eastern Ukraine.

(2) In September 2014, the European Union renewed its sanctions against Russia.

(b) SENSE OF THE SENATE.—The Senate—

(1) recognizes the critical role that the European Union plays in supporting the security and prosperity interests of the United States and its allies.

(2) supports the renewal of economic sanctions against Russia for its continued destabilizing actions in Ukraine.

(3) supports increased United States defense assistance to Ukraine and other countries in Eastern Europe.

(4) welcomes the commitment of the European Union to continue economic sanctions against Russia until it implements the Minsk agreements and desists from destabilizing actions in Eastern Europe.

SEC. 6206. COMPTROLLER GENERAL OF THE UNITED STATES STUDY ON THE EFFECTS OF THE EUROPEAN UNION RENEWING ECONOMIC SANCTIONS ON RUSSIA

The Comptroller General of the United States shall, upon request, provide a briefing to the appropriate committees of Congress with respect to the study conducted under subsection (a).
to implement the program, an implementation time-line for the program with milestones (including anticipated delivery schedules for any assistance and training under the program, the military department or component responsible for management of the program, and the anticipated completion date for the program; (5) A description of the program objectives and an assessment framework to be used to develop capability and performance metrics associated with operational outcomes for the recipient force; (6) Such other matters as the Secretary considers appropriate. (g) DEFINITION.—In this section, the term ‘appropriate congressional committees’ means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and
(2) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

(h) TERMINATION.—Assistance and training may not be provided under this section after September 30, 2020.

SA 4471. Mr. Peters (for himself and Mr. Stabenow) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows: At the end of subtitle I of title X, add the following:

SEC. 1097. REPORT ON MILITARY TRAINING FOR OPERATIONS IN Densely Populated Urban Terrain.

(a) IN GENERAL.—Not later than March 31, 2017, the Secretary shall submit to the congressional defense committees a report on plans and initiatives to enhance existing urban training concepts, capabilities, and facilities that could provide for new training opportunities that would more closely resemble large, dense, heavily populated urban environments. The report shall include specific plans and efforts to provide for a realistic environment for the training of large units with joint assets and recently fielded technologies to exercise new tactics, techniques, and procedures, including consideration of anticipated urban military operations in or near the littoral and maritime domain as well as the cyber domain.

(b) FORM.—The report required under subsection (a) may be submitted in classified or unclassified form.

SA 4472. Mr. Wyden (for himself and Mr. Merkley) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows: At the end of subtitle I of title X, add the following:

SEC. 1098. IMPROVEMENT OF ABILITY OF THE DEPARTMENT OF DEFENSE TO OBTAIN AND MAINTAIN CLEAN AUDIT OPINIONS.

(a) FINANCIAL AUDIT FUND.—The Secretary of Defense shall establish a fund to be known as the “Financial Audit Fund” (in this section referred to as the “Fund”), for the purpose of developing systems, processes, and a well-qualified workforce that will assist the organizations, components, and elements of the Department in maintaining unmodified audit opinions.

(b) ELEMENTS.—Amounts in the Fund shall include the following:

(1) Amounts appropriated to the Fund.
(2) Amounts transferred to the Fund under subsection (d).

(c) Any other amounts authorized for transfer or deposit into the Fund by law.

(d) TRANSFERS TO FUND.—Amounts in the Fund may be transferred to any other account of the Department that have previously obtained unmodified audit opinions for use by such organizations, components, and elements of the Department that have previously obtained unmodified audit opinions for use by such organizations, components, and elements of the Department.

SEC. 1097a. SENSE OF CONGRESS REGARDING REIMBURSEMENT OF LOCAL LAW ENFORCEMENT AGENCIES.

It is the sense of Congress that—

(1) the Federal Government often requests emergency assistance from law enforcement agencies of local governments;
(2) in response to requests for emergency assistance from the Federal Government, law enforcement agencies of local governments often expend considerable resources;
(3) when the Federal Government requests emergency assistance from law enforcement agencies of local governments, the local governments should be reimbursed for the costs incurred in a timely manner.

(4) the intent of Congress in establishing the Emergency Federal Law Enforcement Assistance Program under subtitle B of the Justice Assistance Act of 1984 (42 U.S.C. 16501 et seq.) was to address law enforcement emergencies that require joint action by Federal and local law enforcement agencies; (5) this intent is demonstrated by the fact that, under the Emergency Federal Law Enforcement Assistance Program in fiscal year 2013, the Secretary provided—

(A) $1,918,864 to the State of Massachusetts to assist with law enforcement costs related to the Boston Marathon bombing, which was used to pay overtime costs for law enforcement agencies in the State of Massachusetts that responded to the event; and

(B) $1,011,449 to the State of Missouri to assist with law enforcement costs related to the civil unrest surrounding the death of Michael Brown, which was used to pay overtime costs for law enforcement agencies in the State of Missouri that responded to those events; and

(6) amounts should continue to be made available to fund the Emergency Federal Law Enforcement Assistance Program in order to reimburse local governments and encourage cooperation with the Federal Government.

SA 4473. Mr. Wyden (for himself and Mr. Sanders) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows: At the end of subtitle I of title X, add the following:

SEC. 1098a. INAPPLICABILITY TO AMOUNTS FOR MILITARY PERSONNEL.

(a) IN GENERAL.—Any reduction applicable to the amount of military personnel authorized for the fiscal year for military personnel shall not apply to amounts, if any, available to such organization, component, or element for the fiscal year for military personnel.

(b) TRANSFERS TO FUND IN CONNECTION WITH ORGANIZATIONS NOT HAVING ACHIEVED QUALIFIED AUDIT OPINIONS.

(A) $1,000,000; and

(B) the Secretary shall deposit in the Fund pursuant to subsection (b)(2) all amounts not available to organizations, components, and elements of the Department in the fiscal year pursuant to determinations made under subparagraph (A) or (B).

(2) INAPPLICABILITY TO AMOUNTS FOR MILITARY PERSONNEL.—Any reduction applicable to the amount of military personnel authorized for the fiscal year shall not apply to amounts, if any, available to such organization, component, or element for the fiscal year for military personnel.
other purposes; which was ordered to lie on the table; as follows:

On page 1180, strike lines 1 through 5 and insert the following:

(1) in paragraph (1)—
(A) by striking "fiscal year 2016" and inserting "fiscal years 2016 and 2017"; and
(B) by striking "the Government of Pakistan" and all that follows and inserting "any country identified pursuant to paragraph (1) to counter the movement of precursor materials for improvised explosive devices into Syria, Iraq, or Afghanistan.");

(2) in paragraph (2), by striking "the Government of Pakistan" and inserting "a country";

(3) in paragraph (3), striking subparagraphs (A) and (B) and inserting the following new subparagraphs:

"(A) listing each country identified pursuant to paragraph (1);

"(B) specifying any funds transferred to another department or agency of the United States Government pursuant to paragraph (2);

"(C) detailing the amount of funds to be used with respect to each identified precursor material and the components, training, equipment, supplies, and services to be provided to such country using funds specified pursuant to subparagraph (B);

"(D) specifying any funds transferred to another country identified pursuant to paragraph (1) to counter the movement of precursor materials for improvised explosive devices into Syria, Iraq, or Afghanistan.");

(4) in paragraph (4), by striking "December 31, 2016" and inserting "December 31, 2017".

(a) DEPARTMENT OF DEFENSE.—It is the sense of the Senate that

(1) the United States Government should continue and should increase interagency efforts to disrupt the flow of improvised explosive devices (IEDs), precursor chemicals, and components into conflict areas such as Syria, Iraq, and Afghanistan;

(2) the Department of Defense has made sizeable investments to attack the network, defeat the device, and facilitate protection of United States forces for many years and through the relevant theaters of operation; and

(3) it is essential that the continuing efforts of the United States to counter improvised explosive devices leverage all instruments of national power, including engagement and investment from diplomatic, economic, and law enforcement departments and agencies.

SA 4475, Mr. COTTON submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1277. COMPLIANCE ENFORCEMENT REGARDING RUSSIAN VIOLATIONS OF THE OPEN SKIES TREATY.

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

(1) According to the President's letter of submittal for the Open Skies Treaty provided to Congress by the Secretary of State on August 12, 1992, it is the purpose of the Open Skies Treaty to promote openness and transparency of military forces and activities and undermine mutual understanding and confidence by giving States Party a direct role in gathering information about military forces and activities of concern to them;

(2) According to the Department of State's 2016 Compliance Report, the Russian Federation, "contrary to its obligations under the Open Skies Treaty to allow effective observation of its entire territory, raising serious compliance concerns";

(3) According to the 2016 Compliance Report, Russian conduct giving rise to compliance concerns has continued since the Open Skies Treaty entered into force in 2002 and worsened in 2016;

(4) According to the 2016 Compliance Report, ongoing efforts by the United States and other States Party to the Open Skies Treaty address these concerns through dialogue with the Russian Federation "have not resolved any of the compliance concerns";

(5) The Russian Federation has engaged in other activities in coordination with, but outside the scope of, the Open Skies Treaty overflights, which are a cause of concern and should be addressed;

(6) It is a generally accepted principle of international law that in the event of a material breach of a multilateral treaty by one party, other States Parties specially affected by that breach may invoke it as a ground for suspending the operation of the treaty in whole or in part in the relations between itself and the defaulting state.

(b) STATEMENT OF UNITED STATES POLICY.—It is the policy of the United States that:

(1) restrictions upon the ability of Open Skies Treaty aircraft to overfly all portions of the territory of a State Party impede openness and transparency of military forces and activities and undermine mutual understanding and confidence, especially when coupled with an ongoing refusal to address compliance issues raised by other States Party pursuant to such other States Party's subject to such restrictions;

(2) it is essential to the accomplishment of the object and purpose of the Open Skies Treaty that the United States be able to overfly all portions of the territory of a State Party in a timely and reciprocal manner;

(3) restrictions upon the ability of Open Skies Treaty aircraft to overfly all portions of the territory of the Russian Federation constitute a material breach of the Open Skies Treaty, including—

(iii) the use of pressures or points of political, economic, or military leverage separate from the Open Skies Treaty;

(b) A description of how United States compliance dialogue and engagement with the Russian Federation about the Open Skies Treaty incorporates and integrates the tools described in subparagraph (A); and

(c) An assessment of whether the Russian Federation is expected to return to full compliance with the Open Skies Treaty, and if so, when and under what conditions this is most likely to occur.

(5) An assessment of the benefits the Russian Federation receives from the conduct of Open Skies Treaty overflights over European countries and the United States, including—

(A) The value of such information collection relative to other sources of information available to the Russian Federation; and

(B) an assessment of the potential Russian noncompliance.
SA 4476. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 1085. REPORT ON LACK OF PROCESS BY WHICH MEMBERS OF THE ARMED FORCES MAY CARRY APPROPRIATE FIREARMS ON MILITARY INSTALLATIONS.

Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report that—

(1) describes in detail why the Department of Defense did not meet the December 31, 2015, deadline specified in section 526 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 835; 10 U.S.C. 2593); and

(2) sets forth the anticipated date for implementation of that process.

SA 4477. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 40, strike line 15 and all that follows through “(d)” on page 42, line 3, and insert “(c)”.

SA 4478. Mr. HOEVEN (for himself and Ms. KLOBUCAR) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 815, between lines 3 and 4, insert the following:

(3) The use of contract services, if necessary, to ensure that enlisted personnel of the Air National Guard and the Air Force Reserve are trained at a rate commensurate with regular enlisted personnel of the Air Force, in achieving the transition required by subsection (a) by the date specified in that subsection.

SA 4479. Mr. INHOFE (for himself and Mr. LANKFORD) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 1097. MODIFICATION OF EXCEPTION TO PROHIBITION ON FINANCING OF SALES OF DEFENSE ARTICLES AND DEFENSE SERVICES BY EXPORT-IMPORT BANK OF THE UNITED STATES.

Section 2(b)(6)(I)(i)(I) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(6)(I)(i)(I)) is amended to read as follows:

“(I)(aa) the Bank determines that—

(1) the end use of the defense articles or services includes civilian purposes; or

(2) the President determines that the transaction is in the national security interest of the United States; and

“(BB) the end use of the defense articles or services includes civilian purposes; or

“(AA) the defense articles or services are nonlethal; and

“(BB) the President determines that the transaction is in the national security interest of the United States; and”.

SA 4481. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1097. MODIFICATION OF EXCEPTION TO PROHIBITION ON FINANCING OF SALES OF DEFENSE ARTICLES AND DEFENSE SERVICES BY EXPORT-IMPORT BANK OF THE UNITED STATES.

Section 2(b)(6)(I)(i)(I) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(6)(I)(i)(I)) is amended to read as follows:

“(I)(aa) the Bank determines that—

(1) the end use of the defense articles or services includes civilian purposes; or

(2) the President determines that the transaction is in the national security interest of the United States; and

“(BB) the end use of the defense articles or services includes civilian purposes; or

“(AA) the defense articles or services are nonlethal; and

“(BB) the President determines that the transaction is in the national security interest of the United States; and”.

SA 4480. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1097. MODIFICATION OF EXCEPTION TO PROHIBITION ON FINANCING OF SALES OF DEFENSE ARTICLES AND DEFENSE SERVICES BY EXPORT-IMPORT BANK OF THE UNITED STATES.

Section 2(b)(6)(I)(i)(I) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(6)(I)(i)(I)) is amended to read as follows:

“(I)(aa) the Bank determines that—

(1) the end use of the defense articles or services includes civilian purposes; or

(2) the President determines that the transaction is in the national security interest of the United States; and

“(BB) the end use of the defense articles or services includes civilian purposes; or

“(AA) the defense articles or services are nonlethal; and

“(BB) the President determines that the transaction is in the national security interest of the United States; and”.

SA 4480. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1097. MODIFICATION OF EXCEPTION TO PROHIBITION ON FINANCING OF SALES OF DEFENSE ARTICLES AND DEFENSE SERVICES BY EXPORT-IMPORT BANK OF THE UNITED STATES.

Section 2(b)(6)(I)(i)(I) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(6)(I)(i)(I)) is amended to read as follows:

“(I)(aa) the Bank determines that—

(1) the end use of the defense articles or services includes civilian purposes; or

(2) the President determines that the transaction is in the national security interest of the United States; and

“(BB) the end use of the defense articles or services includes civilian purposes; or

“(AA) the defense articles or services are nonlethal; and

“(BB) the President determines that the transaction is in the national security interest of the United States; and”.
“(bb) the President determines that the transaction is in the national security interest of the United States; and”.

SA 4482. Mr. NELSON submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XXXV add the following:

SEC. 1097. BIODEFENSE STRATEGY.

(a) In general.—Title V of the Homeland Security Act of 2002 (6 U.S.C. 311 et seq.) is amended by adding at the end the following:

“SEC. 527. NATIONAL BIODEFENSE STRATEGY.

“(a) Definitions.—In this section—

“(1) the term ‘biodefense’ means any intervention against high-value United States assets and critical infrastructure by the new sensor;”.

SA 4483. Mr. COTTON (for himself, Mr. SASSE, Mr. RUBIO, Mr. RISCH, Mr. BURB, Mr. INHOFE, and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subsection E of title XII, add the following:

“SEC. 1236. LIMITATION ON CERTIFICATION OR APPROVAL OF NEW SENSORS FOR USE BY THE RUSSIAN FEDERATION ON OBSERVATION FLIGHTS UNDER THE OPEN SKIES TREATY.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term “appropriate committees of Congress” means—

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

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

(2) COVERED STATE.—The term “covered state” means a foreign country that—

(A) is a state party to the Open Skies Treaty; and

(B) is a United States ally.

(3) INTELLIGENCE COMMUNITY.—The term “intelligence community” has the meaning given in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

(4) OBSERVATION AIRCRAFT, OBSERVATION FLIGHT, AND SENSOR.—The terms “observation aircraft”, “observation flight”, and “sensor” have the meanings given such terms in Article II of the Open Skies Treaty.


(b) Limitation.—None of the funds authorized to be appropriated by this Act may be obligated or expended to—

(1) certify or approve a new sensor for use by the Russian Federation in violation of the Open Skies Treaty; or

(2) certify or approve a new sensor for use by the Russian Federation in violation of the Open Skies Treaty, unless the President submits a certification to the appropriate committees of Congress that the certification described in subsection (c)(1).

(c) CERTIFICATION.—

(1) IN GENERAL.—The certification described in subsection (b) that—

(A) the capabilities of the new sensor do not exceed the capabilities imposed by the Open Skies Treaty, and safeguards are in place to prevent the new sensor, or any information obtained from it, from being used in any way not permitted by the Open Skies Treaty;

(B) the Secretary of Defense, the commandant of the armed forces, and the directors of relevant elements of the intelligence community, and the Federal Bureau of Investigation have in place mitigation measures with respect to collection against high-value United States assets and critical infrastructure by the new sensor;

(C) each covered state party has been notified and briefed on concerns of the intelligence community regarding upgraded sensors used under the Open Skies Treaty, Russian Federation warfighting doctrine, and intelligence collection in support thereof; and

(D) the Russian Federation is in compliance with all of its obligations under the Open Skies Treaty, including the obligation to permit properly-notified covered state party observation flights over all of Moscow, Chechnya, Arkhazia, South Osetia, and Kaliningrad.

(d) WAIVER AUTHORITY.—

(1) IN GENERAL.—The President may waive any requirement described in paragraph (1) if he determines that waiving such a requirement is in the national security interest of the United States.

(2) DUTIES.—The President shall—

(A) develop a National Biodefense Strategy to direct and align the inter-governmental and multi-disciplinary efforts of the Federal Government to develop a National Biodefense Strategy to direct and align the inter-governmental and multi-disciplinary efforts of the Federal Government towards an effective and comprehensive approach to combating bioterrorism, including threat awareness, prevention and protection, surveillance and detection, and response and recovery; and

(B) attribution of an intentional biological attack.

(3) STRATEGY.—The President shall develop the National Biodefense Strategy with the Office of Management and Budget, review, prioritize, and align necessary biodefense activities and spending across the Federal Government, in a manner consistent with the following:

(4) PRESIDENT’S ANNUAL BUDGET.—The recommendations of the Council shall inform the budget submissions submitted by the President under section 1105 of title 31, United States Code, with respect to biodefense activities.

(5) STRATEGY.—The President shall develop the National Biodefense Strategy to direct and align the inter-governmental and multi-disciplinary efforts of the Federal Government towards an effective and comprehensive approach to combating bioterrorism, including threat awareness, prevention and protection, surveillance and detection, and response and recovery; and

(6) IMPLEMENTATION.—The President shall.
response and recovery to major biological inci-
dents.

(‘‘c) COORDINATION.—(1) COUNCIL.—In developing the Strategy, the President may utilize the Council.

(2) OTHER AGENCIES.—In developing the Strategy, the President may utilize—

(A) the Secretary of Commerce;

(B) the Department of Defense; and

(C) any other Federal department, agen-
cy, or interagency body the President deter-
mines appropriate, including the Public Health Emergency Medical Countermeasures Enter-
prise.

(3) OTHER ENTITIES.—The President may receive input on elements of the Strategy from relevant, non-Defense entities and State, local, tribal, and territorial govern-
ments.

(4) ACADEMIC INSTITUTIONS.—The President may receive input on elements of the Strategy from academic institutions.

(‘‘d) COORDINATION WITH EXISTING STRATE-
GIES.—The Strategy shall serve as a compre-
prehensive guide for United States bio-
defense that directs and harmonizes all other strategies or plans established or maintained by a Federal department or agency with respect to biodefense.

(‘‘e) CONTENTS.—

(1) REQUIREMENTS.—The Strategy shall include, at a minimum—

(A) a comprehensible description of the entities and positions of leadership with responsibility, authority, and accountability for implementing, overseeing, and coordinating Federal biodefense activities described in subsection (b)(5), including a description of how such entities coordinate on each aspect of biodefense;

(B) a list of goals, priorities, and metrics to improve and strengthen the ability of the Federal Government to prevent, detect, respond to, and recover from a major biologi-
cal incident;

(C) short- and long-term research and de-

velopment projects or initiatives planned to improve biodefense capability; and

(D) recommendations for legislative action

needed to expedite progress toward the goals identified in the Strategy.

(2) CONSIDERATIONS.—In developing the Strategy, the President may consider—

(A) the trade-offs made between differing goals and requirements, due to constraints in expected assets and resources over the time period of such goals and requirements; and

(B) any other analysis the President de-
termines appropriate.

(3) OTHER ENTITIES.—The President shall provide such information and recommendations, to the extent practicable, to the interested and affected parties in-

cluding—

(i) an initial report not later than 90 days after the date on which the Strategy is submitted to the appropriate congressional committees described in subsection (f), the President shall submit to the President an update on the status of the Strategy.

(ii) a comprehensive list of the com-
siderations in section 1(b) of the Homeland Security and Gov-

ernmental Affairs Committee of the Senate and the Commit-
tee on Homeland Security of the House of Representatives.

(‘‘g) STATUS UPDATES.—Not later than 180 days after the date of enactment of this section, and every 180 days thereafter until the date on which the Strategy is submitted to the congressional committees described in subsection (f), the President shall submit to such congressional committees an update on the status of the Strategy.

(‘‘h) REQUIREMENT.—In accordance with subsection (k), the President shall make available on a public Internet website.

(i) FIVE-YEAR UPDATE.—Beginning 5 years after the date on which the Strategy is sub-

mitted under paragraph (1), the President shall submit to the appropriate congres-
sional committees a report detailing the total amount of expenditures on biodefense activities by all Federal departments and agencies and how the expenditures relate to the goals and priorities required under subsection (e)(1)(B).

(‘‘j) ANNUAL BIODEFENSE EXPENDITURES RE-
PORT.—

(1) IN GENERAL.—Not later than 30 days after the date the President submits a budget to Congress under section 1105 of title 31, United States Code, the President shall submit to the appropriate congres-
sional committees a report detailing the total amount of expenditures on biodefense for the preceding fiscal year and for other purposes; which was ordered to lie on the table; as follows:

(2) REQUIREMENT.—The first report sub-

mitted under paragraph (1) shall provide his-
torical data concerning the total amount of expenditures on biodefense for the 3 preceding fiscal years, in addition to the fiscal year requirements for the fiscal year covered by the report.

(k) CLASSIFIED ANNEX.—To the fullest ex-
tent possible, any reports required to be made publicly available under this section shall be unclassified; and classified annexes that shall be submitted concur-
rently to the congressional homeland security committees.

(l) TABLE OF CONTENTS.—The table of con-

tents in section 1(b) of the Homeland Secu-

rity Act of 2002 (6 U.S.C. 101 note) is amended by inserting after the last item relating to section 526 the following:


SA 4485. Mrs. ERNST submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize ap-

progrations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1097. MEAT OPTIONS.

(a) IN GENERAL.—The Secretary of Defense shall ensure that, on a daily basis, members of the Armed Forces at Department of Defense dining facilities are provided with meat options that meet or exceed the nutri-
tional standards established in the most re-

cent Dietary Guidelines for Americans pub-

lished under section 301 of the National Nut-

(b) PROHIBITION.—None of the funds author-
ized to be appropriated by this Act may be obligated or expended to enforce the term “Meatless Monday” or any other program explicitly designed to reduce the amount of animal protein that members of the Armed Forces voluntarily consume.

SA 4486. Mr. CRUZ (for himself, Mr. LEE, and Mr. LANKFORD) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize ap-

progrations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Depart-
ment of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1097. IANA FUNCTIONS CONTRACT; UNITED STATES GOVERNMENT OWNERSHIP OF CERTAIN DOMAINS.

(a) FINDINGS.—Congress finds the fol-

lowing:

(1) The Department of Commerce and the National Telecommunications and Informa-
tion Administration (in this section referred to as the “NTIA”) should be responsible for maintaining the continuity and stability of services related to certain interdomain Internet technical management functions, known collectively as the Internet Assigned Numbers Authority (in this section referred to as the “IANA”), which includes—

(A) the coordination of the assignment of technical Internet protocol parameters;

(B) the administration of responsibilities associated with the Internet do-

main name system root zone management;

(C) the allocation of Internet numbering resources; and

(D) other services related to the manage-

ment of the Advanced Research Project Agency and NTI top-level domains.

(2) The interdependent technical functions described in paragraph (1) were performed on behalf of the Federal Government under a contract between the Defense Advanced Re-

search Projects Agency and the University of Southern California as part of a research project known as the Tera-node Network Technology project. As the Tera-node Network Technology project neared completion and the contract neared expiration in 1999, the Federal Government recognized the need for the continued performance of the IANA functions as vital to the continuity and cor-

rect functioning of the Internet.

(3) The NTIA may use its contract author-

ity to maintain the continuity and stability of services related to the IANA functions.

(4) If the NTIA uses its contract author-

ity, the contractor, in the performance of its duties, must have or develop a close cooper-
tive working relationship with all interested and affected parties to ensure quality and satisfactory performance of the IANA functions. The interested and affected parties in-
clude—

(A) the multi-stakeholder, private sector vol-

untary policy development model for
the domain name system that the Internet Corporation for Assigned Names and Numbers represents; (b) the Internet Engineering Task Force and the IETF Purposes Board; (C) Regional Internet Registries; (D) top-level domain operators and managers, such as country codes and generic; (E)4487 Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows: At the end of title II, add the following: SEC. 123. LOW-INCOME SEWER AND WATER ASSISTANCE PILOT PROGRAM. "(a) Definitions. In this section: (1) ELIGIBLE ENTITY.—The term "eligible entity" means a municipality or a public entity that owns or operates a public water system that is affected by a consent decree relating to the Safe Drinking Water Act. (2) HOUSEHOLD.—The term "household" means any individual or group of individuals who are living together as one economic unit. (3) low-income household.—The term "low-income household" means a household— (A) in which 1 or more individuals are receiving— (i) assistance under a State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.); (ii) supplemental security income payments under the Social Security Act (42 U.S.C. 1381 et seq.); (iii) supplemental nutrition assistance program benefits under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.); or (iv) payments under— (D) the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.); (E) states; and (F) the Internet user community. (5) The IANA functions contract of the Department of Commerce explicitly declares that "[a]ll deliverables provided under this contract become the property of the United States Government.". One of the deliverables is the automated root zone. (6) The Assistant Secretary of Bill Clinton’s Internet czar Magaziner stated that "[t]he United States paid for the Internet, the Net was created under its auspices, and most importantly everything [researchers] did was pursuant to government contracts." (7) Under section 3 of article IV of the Constitution of the United States, Congress has the exclusive power to "dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States." (8) The .gov and .mil top-level domains are the property of the United States Government, and as property, the United States Government should have the exclusive control and as property, the United States Government has exclusive control and authority with respect to the authoritative root zone file and the performance of the Internet Assigned Numbers Authority functions, to terminate, lapse, expire, be canceled, to be taken for failure unless a Federal statute enacted after the date of enactment of this Act expressly grants the Assistant Secretary such authority. (c) exclusive United States Government Ownership and Control of .gov and .mil Domains.—Not later than 60 days after the date of enactment of this Act, the Assistant Secretary of Commerce for Communications and Information Administration with respect to the Internet domain name system functions, including responsibility with respect to the authoritative root zone file and the performance of the Internet Assigned Numbers Authority functions, to terminate, lapse, expire, be canceled, cease to exist in effect unless a Federal statute enacted after the date of enactment of this Act expressly grants the Assistant Secretary such authority. (d) exclusive United States Government Ownership and Control of .gov and .mil Domains.—Not later than 60 days after the date of enactment of this Act, the Assistant Secretary of Commerce for Communications and Information Administration with respect to the Internet domain name system functions, including responsibility with respect to the authoritative root zone file and the performance of the Internet Assigned Numbers Authority functions, to terminate, lapse, expire, be canceled, cease to exist in effect unless a Federal statute enacted after the date of enactment of this Act expressly grants the Assistant Secretary such authority. (e) exclusive United States Government Ownership and Control of .gov and .mil Domains.—Not later than 60 days after the date of enactment of this Act, the Assistant Secretary of Commerce for Communications and Information Administration with respect to the Internet domain name system functions, including responsibility with respect to the authoritative root zone file and the performance of the Internet Assigned Numbers Authority functions, to terminate, lapse, expire, be canceled, cease to exist in effect unless a Federal statute enacted after the date of enactment of this Act expressly grants the Assistant Secretary such authority.

SA 4493. Mr. MURRAY submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows: At the end of subtitle D of title XIV, add the following: SEC. 1457. NOTIFICATION OF PROPOSED CHANGES TO THE AIR FORCE STRATEGIC BASING PROCESS. Not later than 30 days after making a determination to change the concept of operations, basing objectives, criteria, policies, programming, planning, or directives of the strategic basing process, the Secretary of the Air Force shall notify Congress of the proposed change. The notification shall include a briefing by the Chair of the Strategic Basing Executive Steering Group and a detailed, written risk assessment and analysis report regarding the change.

SEC. 1455. TERMINATION OF REDUCTION TO UNAUTHORIZED FERTILITY TREATMENT BENEFITS. (a) Termination of Reduction.—The reduction in the amount available for unauthorized fertility treatment benefits otherwise to be made by reason of the funding table in section 501 shall not be made. (b) INCREASE IN AMOUNT AUTHORIZED FOR DEFENSE HEALTH PROGRAM FOR BENEFITS. The amount authorized to be appropriated for fiscal year 2017 for the Defense Health Program relating to the reduction in the amount available for unauthorized fertility treatment benefits otherwise to be made by reason of the funding table in section 501 shall not be made.
SA 4491. Mr. BENNET (for himself, Mr. BLUMENTHAL, Mrs. GILLIBRAND, and Ms. BALDWIN) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 1067. INCREASED FUNDING FOR CERTAIN MISSILE DEFENSE ACTIVITIES. (a) PROCUREMENT, DEFENSE-WIDE.—The amount authorized to be appropriated for fiscal year 2017 for the Department of Defense by section 101 is hereby increased by 200,000,000, with the amount of increase to be available for procurement, Defense-wide, as specified in the funding table in section 4101 and available for procurement for the following:
    (1) Iron Dome, $20,000,000.
    (2) David’s Sling Weapon System, $350,000,000.
    (2) Arrow 3 Upper Tier, $120,000,000.
    (2) Arrow 3 Upper Tier, $4,100,000.
(b) RDT&E, DEFENSE-WIDE.—The amount authorized to be appropriated for fiscal year 2017 for the Department of Defense by section 101 is hereby increased by $399,000,000, with the amount of increase to be available for research, development, test, and evaluation, Defense-wide, as specified in the funding table in section 4201 and available for research, development, test, and evaluation for the following:
    (1) David’s Sling Weapon System, $15,390,000.
    (2) Arrow 3 Upper Tier, $4,100,000.
    (3) Arrow Box, $6,500,000.
(c) CONSTRUCTION OF INCREASE.—Amounts available under subsection (a) for procurement for items specified in subsection (a), and amounts available under subsection (b) for research, development, test, and evaluation for items specified in subsection (b), are in addition to any other amounts available for such purposes for such items in this Act.
(d) OFFSET.—Amounts for the aggregate of the increases authorized under subsections (a) and (b) shall be derived as follows:
    (1) From a reduction of $219,900,000 in the amount of savings otherwise available for fiscal year 2017 for military construction, and for defense activities of the Department of Energy, as specified in the funding table in section 4301.
    (2) From a reduction of $100,000,000 in the amount authorized to be appropriated for fiscal year 2017 for lift and sustain to maintain program affordability as specified in the funding table in section 4302.

SA 4492. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 2814. DURATION OF UTILITY ENERGY SERVICE CONTRACTS. Section 2813 of title 42, United States Code, is amended by adding at the end the following new subsection:

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

"(f) VARIATION REQUIREMENTS.—The conditions of an utility energy service contract entered into under this section shall include requirements for measurement, verification, and assurance of the savings."

SA 4493. Mr. MARKET submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Defense, as specified in the funding table in section 4101 and available for the following:

1. Iron Dome, $290,000,000, with the amount of increase to be available for procurement, Defense-wide, as specified in the funding table in section 4101 and available for procurement for the following:
   (1) Iron Dome, $20,000,000.
   (2) Arrow 3 Upper Tier, $120,000,000.
   (2) Arrow 3 Upper Tier, $4,100,000.
(b) RDT&E, DEFENSE-WIDE.—The amount authorized to be appropriated for fiscal year 2017 for the Department of Defense by section 101 is hereby increased by $399,000,000, with the amount of increase to be available for research, development, test, and evaluation, Defense-wide, as specified in the funding table in section 4201 and available for research, development, test, and evaluation for the following:
   (1) David’s Sling Weapon System, $15,390,000.
   (2) Arrow 3 Upper Tier, $4,100,000.
   (3) Arrow Box, $6,500,000.
(c) CONSTRUCTION OF INCREASE.—Amounts available under subsection (a) for procurement for items specified in subsection (a), and amounts available under subsection (b) for research, development, test, and evaluation for items specified in subsection (b), are in addition to any other amounts available for such purposes for such items in this Act.
(d) OFFSET.—Amounts for the aggregate of the increases authorized under subsections (a) and (b) shall be derived as follows:
   (1) From a reduction of $219,900,000 in the amount of savings otherwise available for fiscal year 2017 for military construction, and for defense activities of the Department of Energy, as specified in the funding table in section 4301.
   (2) From a reduction of $100,000,000 in the amount authorized to be appropriated for fiscal year 2017 for lift and sustain to maintain program affordability as specified in the funding table in section 4302.

SA 4494. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 590. ATOMIC VETERANS SERVICE MEDAL. (a) SERVICE MEDAL REQUIRED.—The Secretary of Defense shall design and produce a military service medal, to be known as the “Atomic Veterans Service Medal”, to honor the Armed Forces who are radiation-exposed veterans (as such term is defined in section 1121(c)(3) of title 38, United States Code).
(b) ISSUANCE TO RETIRED AND FORMER MEMBERS.—At the request of a radiation-exposed veteran, the Secretary of Defense shall issue the Atomic Veterans Service Medal to the veteran.
(c) ISSUANCE TO NEXT-OF-KIN.—In the case of a radiation-exposed veteran who is deceased, the Secretary may provide for issuance of the Atomic Veterans Service Medal to the next-of kin of the person.
(d) ISSUANCE TO A VETERAN.—The Secretary shall prescribe the standards for issuance of the Atomic Veterans Service Medal to a veteran.

SA 4496. Mr. KAIN and (for himself, Mr. FLAKE, and Mr. NELSON) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Subtitle I—Authority for the Use of Military Force Against the Islamic State of Iraq and the Levant

SEC. 1281. FINDINGS.
Congress makes the following findings:
1. The terrorist organization that has re-formed itself as the Islamic State of Iraq and the Levant and various other names (in this subtitle referred to as “ISIL”) poses a grave threat to the people and territorial integrity of Iraq and Syria, regional stability, and the national security interests of the United States and its allies and partners.
2. ISIL holds significant territory in Iraq and Syria and has stated its intention to seize more territory and demonstrated the capability to do so.
3. ISIL leaders have stated that they intend to conduct terrorist attacks internationally, including against the United States, its citizens, and interests.
4. ISIL has committed despicable acts of violence and mass executions against Muslims, regardless of sect, who do not subscribe to ISIL’s depraved, violent, and oppressive ideology.
5. ISIL has threatened genocide and committed vicious acts of violence against religious and ethnic minority groups, including Iraqi Christian, Yezidi, and Turkmen populations.
6. ISIL has targeted innocent women and girls with horrific acts of violence, including...
abduction, enslavement, torture, rape, and forced marriage.

(7) ISIL is responsible for the deaths of innocent United States citizens, including James Foley, Kayla Mueller, Peter Kassig, and Joseph Kassig.

(8) The United States is working with regional and global allies and partners to degrade and defeat ISIL, to cut off its funds, to stop the flow of foreign fighters to its ranks, and to support local communities as they reject ISIL.

(9) The announcement of the anti-ISIL Coalition on September 9, 2014, during the NATO Summit in Wales, stated that ISIL poses a serious threat and should be countered with a coordinated international coalition.

(10) The United States calls on its allies and partners, particularly in the Middle East and North Africa, to join the anti-ISIL Coalition and defeat this terrorist threat.

(11) President Barack Obama, United States military leaders, and United States allies in the region have made clear that it is morally wrong to allow ISIL to attack innocent United States citizens and to provide military support to regional partners in their battle to defeat ISIL.

SEC. 1282. AUTHORIZATION FOR USE OF UNITED STATES ARMED FORCES.

(a) AUTHORIZATION.—The President is authorized to use the Armed Forces of the United States as the President determines necessary and appropriate against ISIL or associated persons or forces as defined in section 1283.

(b) WAR POWERS RESOLUTION REQUIREMENTS.—

(1) SPECIFIC STATUTORY AUTHORIZATION.—Consistent with section 6(a)(1) of the War Powers Resolution (50 U.S.C. 1541a(a)(1)), Congress declares that this section is intended to constitute a specific statutory authorization within the meaning of section 5(b) of the War Powers Resolution (50 U.S.C. 1544(b)).

(2) APPLICABILITY OF OTHER REQUIREMENTS.—Nothing in this subtitle supersedes any requirements of the War Powers Resolution (50 U.S.C. 1541 et seq.).

(c) NATURE OF AUTHORIZATION.—The purpose of this authorization is to protect the lives of United States citizens and to provide military support to regional partners in their battle to defeat ISIL.

SEC. 1283. DURATION OF AUTHORIZATION.
The authorization for the use of military force under this subtitle shall terminate three years after the date of the enactment of this Act, unless reauthorized.

SEC. 1284. REPORTS.
The President shall report to Congress at least every six months on specific actions taken pursuant to this authorization.

SEC. 1285. ASSOCIATED PERSONS OR FORCES DEFINED.

In this subtitle, the term "associated persons or forces"—

(1) means individuals and organizations fighting alongside ISIL or any closely-related successor entity in hostilities against the United States or its coalition partners; and

(2) refers to any individual or organization that presents a direct threat to members of the United States Armed Forces, coalition partner forces, or forces trained by the coalition, in the judgment of the President, ISIL.

SEC. 1286. REPEAL OF AUTHORIZATION FOR USE OF MILITARY FORCE AGAINST IRAQ.
Comprehensive strategy of the United States, the President shall submit to the appropriate congressional committees and leadership a written report setting forth a comprehensive strategy of the United States.

The report required under subparagraph (A) shall be submitted no less than 48 hours before such action.

On such appeal, such individual may not receive any pay, awards, bonuses, incentives, or benefits.

The report required under subparagraph (A) may be appealed to the Merit Systems Protection Board.

The Merit Systems Protection Board shall issue a final decision on the appeal under this section.

The decision of an administrative judge under this section shall be final and shall not be subject to any further appeal.

(3) If the Secretary removes or demotes an individual as described in paragraph (1), the Secretary may—

(A) remove the individual from the civil service (as defined in section 2101 of title 5); or

(B) demote the individual by means of—

(i) a reduction in grade for which the individual is qualified and for which the Secretary determines is appropriate; or

(ii) a reduction in annual rate of pay that the Secretary determines is appropriate.

C. COVERAGE OF INDIVIDUALS.—(1) Notwithstanding any other provision of law, any individual subject to a demotion under subsection (b) or (c), beginning on the date of such demotion, receive the annual rate of pay applicable to such grade.

An individual so demoted may not be placed on administrative leave or any other category of paid leave during the period during which an appeal (if any) under this section is pending, and may only receive pay if the individual reports for duty. If an individual so demoted does not report for duty, such individual shall not receive pay or other benefits pursuant to subsection (c)(5).

(2) A determination under paragraph (1) that the performance or misconduct of the individual warrants such removal or demotion may only be made if such appeal is made not later than seven days after the date of such removal or demotion.

An appeal under subparagraph (A) of a removal or demotion may only be made if such appeal is made not later than seven days after the date of such removal or demotion.

(3) If the Secretary removes or demotes an individual as described in paragraph (1), the Secretary may—

(A) remove the individual from the civil service (as defined in section 2101 of title 5); or

(B) demote the individual by means of—

(i) a reduction in grade for which the individual is qualified and for which the Secretary determines is appropriate; or

(ii) a reduction in annual rate of pay that the Secretary determines is appropriate.

(2) The individual so demoted shall receive the annual rate of pay applicable to such grade.
“(6) To the maximum extent practicable, the Secretary shall provide the Merit Systems Protection Board, and to any administrative law judge to whom an appeal under this section is referred, such information and assistance as may be necessary to ensure an appeal under this subsection is expedited.

“(d) RELATION TO OTHER PROVISIONS OF LAW.—(1) The authority provided by this section is in addition to the authority provided by subchapter V of chapter 75 of title 5 and chapter 13 of such title.

“(2) Subchapter V of chapter 74 of this title shall not apply to any action under this section.

“(e) DEFINITIONS.—In this section:

“(1) The term ‘individual’ means an individual occupying a position in the Department of Veterans Affairs but does not include—

“(A) an individual, as that term is defined in section 713(g)(1) of this title; or

“(B) a political appointee.

“(2) The term ‘grade’ has the meaning given such term in section 7611(a) of title 5.

“(3) The term ‘misconduct’ includes neglect of duty, malfeasance, or failure to accept or perform a duty or responsibility, or to accompany a position in a transfer of function.

“(4) The term ‘political appointee’ means an individual who—

“(A) employed in a position described under sections 331 to 335 of title 5, (relating to the Executive Schedule);

“(B) is a limited term appointee, limited emergency appointee, or noncareer appointee in the Senate Executive Service, as defined under paragraphs (5), (6), and (7), respectively, of section 3132(a) of title 5; or

“(C) a person in a position of a confidential or policy-determining character under schedule C of part III of title 5 of the Code of Federal Regulations.

“(f) CLERICAL AND CONFORMING AMENDMENTS.—

“(1) CLERICAL.—The table of sections at the beginning of chapter 7 of such title, as amended by section 1097, is further amended by inserting after the item relating to section 715. Probationary period for employees.

“(2) CONFORMING.—Title 5, United States Code, is amended—

“(A) by striking ‘or’ at the end of paragraph (2);

“(B) by striking the period at the end of paragraph (3) and inserting ‘;’; and

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

“(4) any removal or demotion based on performance or misconduct.

“(g) DEFINITIONS.—In this section:

“(1) PERMANENT HINGS.—Upon the expiration of a covered employee’s probationary period under subsection (a), the supervisor of the employee shall determine whether the appointment or assignment is final based on regulations prescribed for such purpose by the Secretary.

“(2) APPEAL.—The amendment made by subsection (a) shall apply to any covered employee (as that term is defined in section 715 of title 38, United States Code, as added by such subsection) appointed after the date of the enactment of this Act.

“(h) RELATION TO OFFICE OF ACCOUNTABILITY AND WHISTLEBLOWER PROTECTION.—

“(i) AN APPOINTMENT or ASSIGNMENT to the Office shall not apply to any action under this section.

“(j) PROHIBITION ON APPOINTMENT.—The President shall not appoint any person who has been convicted of a crime, except in accordance with the provisions of section 552a(d) of title 5, or as required by any other applicable provision of Federal law.

“(k) STAFF AND RESOURCES.—The Secretary shall ensure that the Assistant Secretary has such staff, resources, and access to information as may be necessary to carry out the functions of the Office.

“(l) RELATION TO OFFICE OF GENERAL COUNSEL.—The Office shall not be established as an element of the Office of the General Counsel and the Assistant Secretary may not report to the General Counsel.

“(m) REPORTS.—(1) Each report submitted under paragraph (1)(C), the Assistant Secretary may not disclose the identity of the employee without the consent of the employee, except in accordance with the provisions of section 552a(d) of title 5, or as required by any other applicable provision of Federal law.

“(n) STAFF AND RESOURCES.—The Secretary shall ensure that the Assistant Secretary has such staff, resources, and access to information as may be necessary to carry out the functions of the Office.

“(o) RELATION TO OFFICE OF GENERAL COUNSEL.—The Office shall not be established as an element of the Office of the General Counsel and the Assistant Secretary may not report to the General Counsel.

“(p) REPORTS.—(1) Each report submitted under paragraph (A) shall include, for the period covered by the report, the following:

“(1) A full and substantive analysis of the activities of the Office, including such statistical information as the Assistant Secretary considers appropriate.

“(2) Identification of any issues reported to the Secretary under subsection (c)(1)(G),
SEC. 1097C. PROTECTION OF WHISTLEBLOWERS DEPARTMENT OF VETERANS AFFAIRS.

(a) In General.—Chapter 7 of title 38, United States Code, as amended by section 1097A, is further amended by adding at the end the following new section:

§ 716. Protection of whistleblowers as criteria in evaluation of supervisors

(1) The Secretary shall use as a critical element in any evaluation of the performance of a supervisory employee, and (2) promotes the protection of whistleblowers.

(b) Principles for protection of whistleblowers.—The criteria required by subsection (a) shall include principles for the protection of whistleblowers, such as the degree to which supervisory employees respond constructively when employees of the Department report concerns, take responsible action to resolve such concerns, and foster an environment in which employees of the Department report concerns to supervisory employees or to the appropriate authorities.

SEC. 1097D. TREATMENT OF CONGRESSIONAL TESTIMONY BY DEPARTMENT OF VETERANS AFFAIRS EMPLOYEES AS TREATMENT AS OFFICIAL DUTY

(a) In General.—Chapter 7 of title 38, United States Code, as amended by section 1097C, is further amended by adding at the end the following new section:

§ 718. Congressional testimony by employees: treatment as official duty

(a) Congressional testimony.—An employee of the Department of Veterans Affairs who provides testimony before the Senate or the House of Representatives during the period in which the employee is testifying is entitled to the same per diem, subsistence, and travel expenses as would be provided for military service as an officer of the United States in the active military or National Guard service as an officer, and shall be entitled to the same pay and allowances as is provided for military service as an officer of the United States in the active military or National Guard service as an officer.

(b) Travel expenses.—The Secretary shall provide travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subsection (a) of title 10, United States Code, as amended by section 1097C.

(c) Reporting of expenses.—The Secretary shall provide travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subsection (a) of title 10, United States Code, as amended by section 1097C.
SA 4500. Mr. JOHNSON (for himself and Mr. CARPER) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION F—DHIS ACCOUNTABILITY

SEC. 6002. DEFINITIONS. In this division:

(1) CONGRESSIONAL HOMEWARD SECURITY COMMITEES.—The term "congressional homeland security committees" means—

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

(B) the Committee on Homeland Security of the House of Representatives;

(C) the Subcommittee on Homeland Security of the Committee on Appropriations of the Senate;

(D) the Subcommittee on Homeland Security of the Committee on Appropriations of the House of Representatives;

(E) the term "Department" means the Department of Homeland Security;

(F) the term "Secretary" means the Secretary of Homeland Security.

TITLE LXI—DEPARTMENT MANAGEMENT AND COORDINATION

SEC. 6101. MANAGEMENT AND EXECUTION. (a) IN GENERAL.—Section 103 of the Homeland Security Act of 2002 (6 U.S.C. 113) is amended—

(1) in subsection (a)(1)—

(A) by striking subparagraph (F) and inserting the following:

(‘‘(F) An Under Secretary for Management, who shall be the first assistant to the Deputy Secretary of Homeland Security for purposes of subsection chapter 33 of title 5, United States Code.’’); and

(B) by adding at the end the following:

‘‘(K) An Under Secretary for Strategy, Policy, and Plans, who shall serve as the Acting Secretary if by reason of absence, disability, or vacancy in office, neither the Secretary nor Deputy Secretary of Homeland Security is available to perform the duties of that office.’’;

(2) by adding at the end the following:

‘‘(q) VACANCIES.—

(1) ABSENCE, DISABILITY, OR VACANCY OF SECRETARY.—Notwithstanding chapter 33 of title 5, United States Code, the Under Secretary for Management shall serve as the Acting Secretary if by reason of absence, disability, or vacancy in office, neither the Secretary nor Deputy Secretary of Homeland Security is available to perform the duties of that office.

(2) ABSENCE, DISABILITY, OR VACANCY OF DEPUTY SECRETARY.—Notwithstanding chapter 33 of title 5, United States Code, the Secretary shall serve as the Acting Deputy Secretary if by reason of absence, disability, or vacancy in office, neither the Secretary nor Deputy Secretary of Homeland Security is available to perform the duties of that office.

(3) ABSENCE, DISABILITY, OR VACANCY OF DEPUTY SECRETARY.—Notwithstanding chapter 33 of title 5, United States Code, the Under Secretary for Management shall serve as the Acting Deputy Secretary if by reason of absence, disability, or vacancy in office, neither the Secretary nor Deputy Secretary of Homeland Security is available to perform the duties of that office.

(4) ABSENCE, DISABILITY, OR VACANCY OF OFFICE.—If by reason of absence, disability, or vacancy in office, neither the Secretary nor Deputy Secretary of Homeland Security is available to perform the duties of that office, the Under Secretary for Management shall serve as the Acting Secretary.

(b) U.S. FORECAST RESOURCES.—In this section—

(1) in subsections (a)(3) and (b)—

(A) by striking paragraph (9) and inserting the following:

‘‘(9) The management integration and transformation within each functional management discipline of the Department, including information technology, financial management, acquisition management, and human capital management, to ensure an efficient and effectively organized Department, including the structure, policies, and oversight procedures of the Department for management integration and transformation.’’;

(B) by redesigning paragraphs (10) and (11) as paragraphs (12) and (13), respectively, and—

(C) by inserting after paragraph (9) the following:

‘‘(10) The development of a transition and succession plan, before December 1 of each year in which a Presidential election is held, to guide the transition of Department functions to a new Presidential administration, and making such plan available to the next Secretary and Under Secretary for Management and to the congressional homeland security committees.’’;

‘‘(11) Reporting to the Government Accountability Office every 6 months to demonstrate measurable, sustainable progress implementing the prevention plans of the Department to address the designation of the management functions of the Department on the bi-annual high risk list of the Government Accountability Office, until the Comptroller General of the United States submits to the appropriate congressional committees written notification of removal of the high-risk designation.’’;

(D) by striking paragraph (9) and inserting the following:

‘‘(9) The management integration and transformation within each functional management discipline of the Department, including information technology, financial management, acquisition management, and human capital management, to ensure an efficient and effectively organized Department, including the structure, policies, and oversight procedures of the Department for management integration and transformation.’’;

‘‘(10) The development of a transition and succession plan, before December 1 of each year in which a Presidential election is held, to guide the transition of Department functions to a new Presidential administration, and making such plan available to the next Secretary and Under Secretary for Management and to the congressional homeland security committees.’’;

‘‘(11) Reporting to the Government Accountability Office every 6 months to demonstrate measurable, sustainable progress implementing the prevention plans of the Department to address the designation of the management functions of the Department on the bi-annual high risk list of the Government Accountability Office, until the Comptroller General of the United States submits to the appropriate congressional committees written notification of removal of the high-risk designation.’’;

‘‘(12) The development of a transition and succession plan, before December 1 of each year in which a Presidential election is held, to guide the transition of Department functions to a new Presidential administration, and making such plan available to the next Secretary and Under Secretary for Management and to the congressional homeland security committees.’’;

‘‘(13) Reporting to the Government Accountability Office every 6 months to demonstrate measurable, sustainable progress implementing the prevention plans of the Department to address the designation of the management functions of the Department on the bi-annual high risk list of the Government Accountability Office, until the Comptroller General of the United States submits to the appropriate congressional committees written notification of removal of the high-risk designation.’’;

(E) by inserting after paragraph (9) the following:

‘‘(10) The development of a transition and succession plan, before December 1 of each year in which a Presidential election is held, to guide the transition of Department functions to a new Presidential administration, and making such plan available to the next Secretary and Under Secretary for Management and to the congressional homeland security committees.’’;

‘‘(11) Reporting to the Government Accountability Office every 6 months to demonstrate measurable, sustainable progress implementing the prevention plans of the Department to address the designation of the management functions of the Department on the bi-annual high risk list of the Government Accountability Office, until the Comptroller General of the United States submits to the appropriate congressional committees written notification of removal of the high-risk designation.’’;

‘‘(12) The development of a transition and succession plan, before December 1 of each year in which a Presidential election is held, to guide the transition of Department functions to a new Presidential administration, and making such plan available to the next Secretary and Under Secretary for Management and to the congressional homeland security committees.’’;

‘‘(13) Reporting to the Government Accountability Office every 6 months to demonstrate measurable, sustainable progress implementing the prevention plans of the Department to address the designation of the management functions of the Department on the bi-annual high risk list of the Government Accountability Office, until the Comptroller General of the United States submits to the appropriate congressional committees written notification of removal of the high-risk designation.’’;
SEC. 6102. DEPARTMENT COORDINATION.

(a) In general.—Title VII of the Homeland Security Act of 2002 (6 U.S.C. 341 et seq.) is amended by adding at the end the following:

"(d) System for Award Management Coordination.—The Under Secretary for Management shall ensure that all Department contracting and grant officials consult the System for Award Management (or successor system) by the General Services Administration prior to awarding a contract or grant or entering into other transactions to ascertain whether the selected contract or grant is being made from Federal contracts, certain subcontracts, and certain types of Federal financial and non-financial assistance and benefits.

SEC. 708. DEPARTMENT COORDINATION.

(a) Definitions.—In this section—

"(1) the term ‘joint duty training program’ means the training program established under subsection (e)(9)(A); and

"(2) the term ‘joint requirement’ means a condition or capability of a Joint Task Force, or of multiple operating components of the Department, that is required to be met or possessed by a system, product, service, result, or component to satisfy a contract, grant, or other formal or informal document;

"(3) the term ‘Joint Task Force’ means a Joint Task Force established under subsection (e)(1); and

"(4) the term ‘situational awareness’ means knowledge and unified understanding of unlawful cross-border activity, including—

"(A) trends concerning illicit trafficking and unlawful crossings;

"(B) the ability to forecast future shifts in such threats and trends; and

"(C) the ability to evaluate such threats and trends at a level sufficient to create actionable plans; and

"(D) the operational capability to conduct continuous and integrated surveillance of the air, land, and maritime borders of the United States.

(b) Department Leadership Councils.—

"(1) Establishment.—The Secretary may establish such Department leadership councils as the Secretary determines necessary to ensure coordination among leadership in the Department.

"(2) Function.—Department leadership councils shall—

"(A) serve as coordinating forums;

"(B) advise the Secretary and Deputy Secretary on Department strategy, operations, and guidance; and

"(C) submit an annual report on such other matters as the Secretary or Deputy Secretary may direct.

"(3) Chairperson; membership.—

"(A) Chairperson.—The Secretary or a designee may serve as chairperson of a Department leadership council.

"(B) Membership.—The Secretary shall determine the membership of a Department leadership council.

"(4) Relationship to other forums.—The Secretary or Deputy Secretary may delegate the authority to the Under Secretary, at the request of the Secretary or a designee, to serve in the capacity of the Secretary or a designee in any decision or guidance resulting from the action of a Department leadership council to any office, component, coordinator, or other official of the Department.

"(5) Joint Requirements Council.—

"(1) Establishment.—There is established within the Department a Joint Requirements Council, which shall—

"(A) identify, assess, and validate joint requirements (including existing systems and associated capabilities) to meet mission needs of the Department;

"(B) ensure that appropriate efficiencies are made among life-cycle cost, schedule, and performance objectives and procurement quantity objectives, in the establishment and approval of joint requirements; and

"(C) make prioritized capability recommendations for the joint requirements validated under subparagraph (A) to the Secretary, the Deputy Secretary, or the chairperson of a Department leadership council designated by the Secretary.

"(2) Chair.—The Secretary shall appoint a chairperson of the Joint Requirements Council, for a term of not more than 2 years, from among senior officials from components of the Department or other senior officials as designated by the Secretary.

"(3) Function.—The Joint Requirements Council shall be composed of senior officials representing components of the Department and other senior officials as designated by the Secretary.

"(4) Membership.—The Joint Requirements Council shall be composed of senior officials representing components of the Department and other senior officials as designated by the Secretary.

"(5) Relationship to Other Forums.—The Joint Requirements Council shall coordinate with the Department security committees a report on the total funding, personnel, and other resources that each component of the Department allocated to the Joint Task Force, the Secretary shall provide a report that the mission of the Joint Task Force during the fiscal year immediately preceding the report.

"(6) Joint Task Forces.—

"(1) Establishment.—The Secretary may establish and operate Departmental Joint Task Forces to conduct joint operations using personnel and capabilities of the Department.

"(2) Coordination.—The Secretary shall ensure coordination between requirements derived from Joint Operational Plans and the Future Years Homeland Security Program required under section 874.

"(3) Limitation.—Nothing in this subsection shall be construed to affect the national emergency authorities and responsibilities of the Administrator of the Federal Emergency Management Agency under title V.

"(4) Joint Task Forces.—

"(1) Establishment.—The Secretary may establish and operate Departmental Joint Task Forces to conduct joint operations using personnel and capabilities of the Department.

"(2) Joint Task Force Directors.—

"(A) Director.—Each Joint Task Force shall be headed by a Director appointed by the Secretary for a term not more than 2 years, who shall be a senior official of the Department.

"(B) Extension.—The Secretary may extend the term of the Director of a Joint Task Force for not more than 2 years if the Secretary determines that such an extension is in the best interest of the Department.

"(3) Joint Task Force Deputy Directors.—

For each Joint Task Force, the Secretary shall appoint a Deputy Director who shall be a senior official of a different component or office of the Department than the Director of the Joint Task Force.

"(4) Responsibilities.—The Director of a Joint Task Force shall have the overall direction, and guidance of the Secretary, shall—

"(A) maintain situational awareness within the areas of responsibility of the Joint Task Force, as determined by the Secretary;

"(B) provide operational plans and require required standard operating procedures and contingency operations;

"(C) plan and execute joint task force activities within the areas of responsibility of the Joint Task Force, as determined by the Secretary;

"(D) set and accomplish strategic objectives through integrated operational planning and execution;

"(E) exercise operational direction over personnel and equipment from components and offices of the Department allocated to the Joint Task Force to accomplish the objectives of the Joint Task Force;

"(F) establish operational and investigative priorities within the operating areas of the Joint Task Force;

"(G) coordinate with foreign governments and other Federal, State, and local agencies, as appropriate, to carry out the mission of the Joint Task Force; and

"(H) carry out other duties and powers the Secretary determines appropriate.

"(5) Personnel and Resources.—

"(A) In general.—The Secretary may, upon request of the Joint Task Force, and giving appropriate consideration of risk to the other primary missions of the Department, allocate to the Joint Task Force a temporary basis personnel and resources from the offices of the Department to a Joint Task Force.

"(B) Cost Neutrality.—A Joint Task Force may not require more personnel, equipment, or resources than would be required by components of the Department in the absence of the Joint Task Force.

"(C) Location of Operations.—In establishing a location of operations for a Joint Task Force, the Secretary shall, to the extent practicable, use existing facilities that integrate efforts of components of the Department and State, local, tribal, or territorial law enforcement or military entities.

"(D) Report.—The Secretary shall, at the time the budget of the President is submitted to Congress for a fiscal year under section 1105(a) of title 31, United States Code, submit to the congressional homeland security committees a report on the total funding, personnel, and other resources that each component of the Department allocated to the Joint Task Force.

"(6) Component Resource Authority.—As directed by the Secretary—

"(A) each Director of a Joint Task Force shall be provided sufficient resources from relevant components and offices of the Department and the authority necessary to carry out the missions and responsibilities required under this section; and

"(B) the resources required to in subparagraph (A) shall be under the operational authority, direction, and control of the Director of the Joint Task Force to which the resources are assigned.

"(7) Joint Task Force Staff.—Each Joint Task Force shall have a staff, composed of officials from relevant components, to assist the Director in carrying out the missions and responsibilities of the Joint Task Force.

"(8) Establishment of Performance Metrics.—The Secretary shall—

"(A) establish the over and other appropriate performance metrics to evaluate the effectiveness of each Joint Task Force;
(B) not later than 120 days after the date of enactment of this section, submit the metrics established under subparagraph (A) to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives; and

(C) not later than January 31, 2017, and each year thereafter, submit to each committee described in subparagraph (B) a report that contains the evaluation described in subparagraph (A).

(9) JOINT DUTY TRAINING PROGRAM.—

(A) IN GENERAL.—The Secretary shall—

(i) establish a joint duty training program in the Department for the purposes of—

(I) enhancing coordination within the Department; and

(II) tailoring the joint duty training program to improve joint operations as part of the Joint Task Forces.

(B) ELEMENTS.—The joint duty training program established under subparagraph (A) shall address, at a minimum, the following topics:

(i) National security strategy.

(ii) Strategic and contingency planning.

(iii) Command and control of operations under emergency management.

(iv) International engagement.

(v) The homeland security enterprise.

(vi) Interagency collaboration.

(vii) Leadership.

(C) LEADERSHIP.—

(iii) Subject to paragraph (13), the Secretary may establish Joint Task Forces for the purposes of—

(A) coordinating and directing operations along the land and maritime borders of the United States;

(B) cybersecurity; and

(C) preventing, preparing for, and responding to other homeland security matters, as determined by the Secretary.

(ii) Notification of Joint Task Forces formation.—

(A) IN GENERAL.—Not later than 90 days before establishing a Joint Task Force under this subsection, the Secretary shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives a notice that the Secretary intends to establish a Joint Task Force.

(B) WAIVER AUTHORITY.—The Secretary may waive clause (i) if the Secretary determines that such a waiver is in the interest of homeland security.

(10) ESTABLISHING JOINT TASK FORCES.—

(A) IN GENERAL.—The Secretary may establish a Joint Task Force for any major disaster or emergency declared under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) or an incident for which the Federal Emergency Management Agency has primary responsibility for management of the response under title V of this Act, including section 506(a)(3)(A), unless the responsibilities of the Joint Task Force—

(i) do not include operational functions related to incident management, including coordination of operations; and

(ii) are consistent with the requirements of paragraphs (3) and (4)(A) of section 506(c) and section 506(c) of this Act and section 302 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5143).

(B) RESPONSIBILITIES AND FUNCTIONS NOT REDUCED.—Nothing in this section shall be construed to reduce the responsibilities or functions of the Federal Emergency Management Agency or the Administrator thereof under title V of this Act and any other provision of law, including the diversion of any asset, function, or mission from the Federal Emergency Management Agency or the Administrator thereof pursuant to section 506.

(C) JOINT DUTY ASSIGNMENT PROGRAM.—

The Secretary may establish a joint duty assignment program within the Department for the purposes of enhancing coordination among the Department and the Department of Homeland Security, and improving workforce professional development.

(D) TECHNICAL AND CONFORMING AMENDMENTS.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Pub. L. 107–296; 116 Stat. 2135) is amended by inserting "and steady-state activities" after the period at the end of "professionals and other individuals".

(11) REVIEW.—

(A) IN GENERAL.—The Inspector General of the Department shall conduct a review of the Joint Task Forces established under this subsection.

(B) CONTENTS.—The review required under subparagraph (A) shall include—

(i) an assessment of the effectiveness of the structure of each Joint Task Force; and

(ii) recommendations for enhancements to that structure to strengthen the effectiveness of the Joint Task Force.

(C) SUBMISSION.—The Inspector General of the Department shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives—

(i) an initial report that contains the evaluation described in subparagraph (A) by not later than January 31, 2018; and

(ii) a second report that contains the evaluation described in subparagraph (A) by not later than January 31, 2021.

(12) LIMITATION ON JOINT TASK FORCES.—

(A) IN GENERAL.—The Secretary may not establish a Joint Task Force for any major disaster or emergency declared under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) or an incident for which the Federal Emergency Management Agency has primary responsibility for management of the response under title V of this Act, including section 506(a)(3)(A), unless the responsibilities of the Joint Task Force—

(i) do not include operational functions related to incident management, including coordination of operations; and

(ii) are consistent with the requirements of paragraphs (3) and (4)(A) of section 506(c) and section 506(c) of this Act and section 302 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5143).

(B) TECHNICAL AND CONFORMING AMENDMENTS.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Pub. L. 107–296; 116 Stat. 2135) is amended by inserting "and steady-state activities" after the period at the end of "professionals and other individuals".

(13) JOINT DUTY ASSIGNMENT PROGRAM.—

(A) IN GENERAL.—The Secretary may establish a Joint Duty Assignment Program.

(B) ELEMENTS.—The joint duty assignment program established under paragraph (A) shall include—

(i) an initial report that contains the evaluation described in subparagraph (A) by not later than January 31, 2018; and

(ii) a second report that contains the evaluation described in subparagraph (A) by not later than January 31, 2021.

4. Limitation on joint task forces. The Secretary may not establish a Joint Task Force for any major disaster or emergency declared under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) or an incident for which the Federal Emergency Management Agency has primary responsibility for management of the response under title V of this Act, including section 506(a)(3)(A), unless the responsibilities of the Joint Task Force—

(i) do not include operational functions related to incident management, including coordination of operations; and

(ii) are consistent with the requirements of paragraphs (3) and (4)(A) of section 506(c) and section 506(c) of this Act and section 302 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5143).
“(5) develop international coordination and engagement for the Department;

“(6) review and incorporate, as appropriate, external stakeholder feedback into Department messaging;

“(7) carry out such other responsibilities as the Secretary determines appropriate.

“(d) Coordination by Department Components.—In each instance where policy priorities of the Department, the head of each component of the Department shall coordinate with the Office of Strategy, Policy, and Plans in establishing or modifying policies or strategic planning guidance.

“(e) Homeland Security Statistics and Joint Analysis Authority.—

“(1) Homeland Security Statistics.—The Under Secretary for Strategy, Policy, and Plans shall—

“(A) establish standards of reliability and validity for statistical data collected and analyzed by the Department;

“(B) be provided with statistical data maintained by the Department regarding the operations of the Department;

“(C) conduct or oversee analysis and reporting of such data by the Department as required by law or directed by the Secretary;

“(D) ensure the accuracy of metrics and statistical data provided to Congress.

“(2) National Security Humanitarian Support.—There shall be transferred to the Under Secretary for Strategy, Policy, and Plans the maintenance of all immigration statistical information of the Bureau of Citizenship and Immigration Services, and U.S. Citizenship and Immigration Services, which shall include information and statistics of the type contained in the publication ‘Handbook of Immigration Statistics’ prepared by the Office of Immigration Statistics, including region-by-region statistics on the aggregate number of applications (or filed on behalf of an alien) and denied, and the reasons for such denials, disaggregated by category of denial and application or petition type.

“(b) Technical and Conforming Amendments.—


“(1) by inserting after section 881 the following:


“SEC. 6106. AUTHORIZATION OF THE OFFICE FOR PARTNERSHIPS AGAINST VIOLENT EXTREMISM OF THE DEPARTMENT OF HOMELAND SECURITY.


“(1) by inserting after section 881 the following:

“(b) Office of Strategy, Policy, and Plans.—

“(A) Definition.—In this section—


“(ii) The term ‘Assistant Secretary’ means the Assistant Secretary for Partnership Against Violent Extremism.

“(3) Countering Violent Extremism.—

“The term ‘countering violent extremism’ means proactive and relevant actions to counter recruitment, radicalization, and mobilization to violence and to address the immediate factors that lead to violent extremism and radicalization.

“(4) Domestic Terrorism; International Terrorism.—The terms ‘domestic terrorism’ and ‘international terrorism’ have the meanings given those terms in section 2331 of title 18, United States Code.

“(5) Radicalization.—The term ‘radicalization’ means the process by which an individual chooses to facilitate or commit domestic terrorism or international terrorism.

“(6) Violent Extremism.—The term ‘violent extremism’ means international or domestic terrorism.

“(b) Establishment.—There is in the Department and Office for Partnerships Against Violent Extremism:

“(1) Head of Office.—The Office for Partnerships Against Violent Extremism shall be headed by an Assistant Secretary for Partnerships Against Violent Extremism, who shall be designated by the Secretary and report directly to the Secretary.

“(2) Designation of Assistant Secretary.—The Assistant Secretary for Partnerships Against Violent Extremism shall be responsible for efforts relating to countering violent extremism.

“(c) Head of Office.—The Office for Partnerships Against Violent Extremism shall be headed by an Under Secretary for Partnerships Against Violent Extremism, who shall be designated by the Secretary and report directly to the Secretary.

“(1) Designate a career Deputy Assistant Secretary for Partnerships Against Violent Extremism; and

“(2) assign or hire, as appropriate, permanent staff to the Office for Partnerships Against Violent Extremism.

“(e) Responsibilities.—

“(1) In General.—The Assistant Secretary shall be responsible for the following:

“(A) Developing and maintaining Department-wide strategy, plans, policies, and programs to counter violent extremism. Such plans shall, at a minimum, address each of the following:

“(i) The Department’s plan to leverage new and existing Internet, digital, and social media platforms to improve non-government efforts to counter violent extremism, as well as the best practices and lessons learned from Federal, State, local, tribal, territorial, and foreign partners engaged in similar counter-messaging efforts.

“(ii) The Department’s countering violent extremism-related engagement efforts.

“(III) The use of cooperative agreements with State, local, tribal, territorial, and other Federal departments and agencies responsible for efforts relating to counter violent extremism.

“(vii) Assessing the methods used by violent extremists to disseminate propaganda and messaging to communities at risk for recruitment by violent extremists.

“(B) Developing a digital engagement strategy that expands the outreach efforts of the Department to counter violent extremist messaging by—

“(i) exploring ways to utilize relevant Internet and other technologies and social media platforms; and

“(ii) maximizing other resources available to the Department.

“(C) Serving as the primary representative of the Department in coordinating countering violent extremism efforts with other Federal departments and agencies and nongovernmental organizations.

“(D) Serving as the primary Department-level representative in coordinating with the Department of State on international countering violent extremism.

“(E) In coordination with the Administrator, providing guidance regarding the use of grants made to State, local, and tribal governments under sections 2003 and 2004 of the Department of Homeland Security Act of 2015 (6 U.S.C. 631 and 632) under the allowable uses guidelines related to countering violent extremism.

“(F) Developing a plan to expand philanthropic support for and coordination with communities at risk related to countering violent extremism, including by identifying viable community projects and needs for possible philanthropic support.

“(G) Coordinate with courts. In coordination with courts of this subsection, the term ‘communities at risk’ shall not include a community that is determined to be at risk solely on the basis of race, religious affiliation, or ethnicity.

“(H) Strategy to Counter Violent Extremism in the United States.—

“(1) Strategy.—No later than 90 days after the date of enactment of this section, the Secretary shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Homeland Security of the House of Representatives, and the Committee on the Judiciary of the House of Representatives a comprehensive Department strategy to counter violent extremism in the United States.

“(2) Contents of Strategy.—The strategy required under paragraph (1) shall, at a minimum, address each of the following:

“(I) The Department’s digital engagement effort, including a plan to leverage new and existing Internet, digital, and other technologies and social media platforms to counter violent extremism, as well as the best practices and lessons learned from Federal, State, local, tribal, territorial, non-governmental, and foreign partners engaged in similar counter-messaging activities.

“(J) The Department’s countering violent extremism-related engagement efforts.

“(K) The use of cooperative agreements with State, local, tribal, territorial, and other Federal departments and agencies responsible for activities relating to countering violent extremism.

“(L) Ensuring all activities related to countering violent extremism adhere to relevant Department and applicable Department of Justice guidance regarding privacy, civil rights, and civil liberties, including safeguards against discrimination.

“(M) The development of qualitative and quantitative outcome-based metrics to evaluate the Department’s programs and policies to counter violent extremism.

“(N) An analysis of the homeland security risks posed by violent extremists, including the threat environment and empirical data assessing terrorist activities and incidents, and
violentic haystacking, messaging, or recruitment.

(“G) Information on the Department’s near-term, mid-term, and long-term risk-based efforts to counter violent extremism, reflecting the risk analysis conducted under subparagraph (F).”

(“G) STRATEGIC IMPLEMENTATION PLAN.—In drafting the plan, the Secretary shall include the following:

(A) Departmental efforts to undertake research and to improve the Department’s understanding of the risk of violent extremism and to identify ways to improve countering violent extremism activities and programs, including outreach, training, and information sharing plans.

(B) Departmental efforts to disseminate to local law enforcement agencies and the general public information on the threat, such as training guidance, workshop reports, and the violent extremist threat, through multiple platforms, including the development of a dedicated webpage, and information regarding the effectiveness of those efforts.

(C) Departmental efforts to conduct oversight of all countering violent extremism training and training materials and other resources developed or funded by the Department.

(D) Departmental efforts to foster transparency by making, to the extent practicable, all training guidance, documents, policies, and training materials publicly available, including through any webpage developed under subparagraph (F).

(E) Technical and conforming amendments to conduct oversight of the Department’s activities to ensure that information technology policies and the steps taken to evaluate the success of such programs and policies.

(F) An accounting of—

(A) grants and cooperative agreements awarded by the Department to counter violent extremism; and

(B) all training specifically aimed at countering violent extremism sponsored by the Department.

(G) An analysis of how the Department’s activities to counter violent extremism correspond and adapt to the threat environment.

(H) A summary of how civil rights and civil liberties are protected in the Department’s activities to counter violent extremism.

(I) An evaluation of the effectiveness of the Department’s activities to counter violent extremism.

(J) A description of how the Office for Partnerships Against Violent Extremism incorporates lessons learned from the countering violent extremism programs and policies of foreign, State, local, tribal, and territorial governments and stakeholder communities.

(K) An annual review.—Not later than 1 year after the date of enactment of this Act, the Office for Civil Rights and Civil Liberties of the Department shall—

(1) conduct a review of the Office for Partnerships Against Violent Extremism activities and programs undertaken pursuant to the information technology policies and the steps taken to evaluate the success of such grants and cooperative agreements in countering violent extremism.

(2) A description of how the Office for Partnerships Against Violent Extremism in- corporates lessons learned from the countering violent extremism programs and policies of foreign, State, local, tribal, and territorial governments and stakeholder communities.

(L) An annual report on the Office for Partnerships Against Violent Extremism.

(M) A description of the status of the programs and policies of the Department for countering violent extremism in the United States.

(N) A description of the efforts of the Office for Partnerships Against Violent Extremism to coordinate with and provide assistance to other federal departments and agencies.

(O) Qualitative and quantitative metrics for evaluating the success of such programs and policies and the steps taken to evaluate the success of such programs and policies.

(P) An analysis of how the Department’s activities to counter violent extremism correspond and adapt to the threat environment.

(Q) A description of how the Office for Partnerships Against Violent Extremism incorporates lessons learned from the countering violent extremism programs and policies of foreign, State, local, tribal, and territorial governments and stakeholder communities.

(R) A description of the status of the programs and policies of the Department for countering violent extremism in the United States.

(S) A description of the efforts of the Office for Partnerships Against Violent Extremism to coordinate with and provide assistance to other federal departments and agencies.

(T) A description of the effectiveness of such grants and cooperative agreements in countering violent extremism.

(U) A description of how the Office for Partnerships Against Violent Extremism incorporates lessons learned from the countering violent extremism programs and policies of foreign, State, local, tribal, and territorial governments and stakeholder communities.

(V) An annual review.—Not later than 1 year after the date of enactment of this Act, the Office for Civil Rights and Civil Liberties of the Department shall—

(1) conduct a review of the Office for Partnerships Against Violent Extremism activities and programs undertaken pursuant to the information technology policies and the steps taken to evaluate the success of such grants and cooperative agreements in countering violent extremism.

(2) A description of how the Office for Partnerships Against Violent Extremism incorporates lessons learned from the countering violent extremism programs and policies of foreign, State, local, tribal, and territorial governments and stakeholder communities.

(W) A description of the status of the programs and policies of the Department for countering violent extremism in the United States.

(X) A description of the efforts of the Office for Partnerships Against Violent Extremism to coordinate with and provide assistance to other federal departments and agencies.

(Y) A description of the effectiveness of such grants and cooperative agreements in countering violent extremism.

(Z) A description of how the Office for Partnerships Against Violent Extremism incorporates lessons learned from the countering violent extremism programs and policies of foreign, State, local, tribal, and territorial governments and stakeholder communities.

(A) An annual report on the Office for Partnerships Against Violent Extremism.

(B) SUNSET.—Effective on the date that is 7 years after the date of enactment of this Act.

(1) section 802 of the Homeland Security Act of 2002, as added by subsection (a), is repealed; and

(2) the table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended by striking the item relating to section 802.

SEC. 6201. DUPLICATION REVIEW.

(a) General provisions.—In general, the Secretary shall—

(1) not later than 1 year after the date of enactment of this Act, complete a review of the international affairs offices, functions, and responsibilities of the Department to identify and eliminate areas of unnecessary duplication; and

(2) not later than 30 days after the date on which the Secretary completes the review under paragraph (1), provide the results of the review to the congressional homeland security committees.

(b) Sunset.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress an annual report on the Office for Partnerships Against Violent Extremism to the congressional homeland security committees, and an estimated date for the elimination of unnecessary duplication; and

(c) Exclusion.—This section shall not apply to international activities related to the protective mission of the United States Navy.

SEC. 6202. INFORMATION TECHNOLOGY STRATEGIC PLAN.

(a) General provisions.—Section 703 of the Homeland Security Act of 2002 (6 U.S.C. 543) is amended by adding subsections (G), (H), (I), and (J) as follows:

(“G) STRATEGIC PLANS.—Consistent with the timing set forth in section 300(a) of title 5, United States Code, section 802 of the Homeland Security Act of 2002 under section 3006 of title 44, United States Code, the Chief Information Officer shall develop, make public, and submit to the congressional homeland security committees an information technology strategic plan, which shall include—

(1) information technology will be leveraged to meet the priority goals and strategic objectives of the Department;

(2) the budget of the Department aligns with priorities specified in the information technology strategic plan of the Department;

(3) unnecessarily duplicative, legacy, and outdated information technology within and across the Department will be identified and eliminated, and an estimated date for the identification and elimination of duplicative information technology within and across the Department;

(4) the Chief Information Officer will coordinate with components of the Department to ensure that information technology policies are effectively and efficiently implemented across the Department;

(5) a list of information technology projects, including completion dates, will be made available to the public and Congress;

(C) STRATEGIC PLANS.—Consistent with the timing set forth in section 3006 of title 44, United States Code, the Chief Information Officer shall develop, make public, and submit to the congressional homeland security committees an information technology strategic plan, which shall include—

(1) information technology will be leveraged to meet the priority goals and strategic objectives of the Department;

(2) the budget of the Department aligns with priorities specified in the information technology strategic plan of the Department;

(3) unnecessarily duplicative, legacy, and outdated information technology within and across the Department will be identified and eliminated, and an estimated date for the identification and elimination of duplicative information technology within and across the Department;

(4) the Chief Information Officer will coordinate with components of the Department to ensure that information technology policies are effectively and efficiently implemented across the Department;

(5) a list of information technology projects, including completion dates, will be made available to the public and Congress;
SEC. 6203. SOFTWARE LICENSING.

(a) In GENERAL.—Section 703 of the Homeland Security Act of 2002 (6 U.S.C. 343), as amended by section 6202 of this Act, is amended to read as follows:

"SEC. 704. CHIEF HUMAN CAPITAL OFFICER.

(a) In GENERAL.—There is a Chief Human Capital Officer of the Department, who shall report directly to the Under Secretary for Management.

(b) RESPONSIBILITIES.—In addition to the responsibilities set forth in chapter 14 of title 5, United States Code, and other applicable law, the Chief Human Capital Officer of the Department—

(1) develop and implement strategic workforce planning policies that are consistent with Government-wide leading principles and in line with Department strategic human capital goals and priorities;

(2) develop performance measures to provide a basis for monitoring and evaluating Department-wide strategic workforce planning efforts;

(3) develop, improve, and implement policies, including compensation flexibilities available to Federal agencies where appropriate, to recruit, hire, train, and retain the workforce of the Department, in coordination with all components of the Department;

(4) identify methods for managing and overseeing human capital programs and initiatives, in coordination with the head of each component of the Department;

(5) develop a career path framework and create opportunities for leader development in coordination with all components of the Department;

(6) lead the efforts of the Department for managing employee resources, including training and development opportunities, in coordination with each component of the Department;

(7) work to ensure the Department is implementing human capital programs and initiatives and effectively educating each component of the Department about these programs and initiatives;

(8) identify and eliminate unnecessary and duplicative human capital policies and guidance;

(9) provide input concerning the hiring and performance of the Chief Human Capital Officer or components of each component of the Department; and

(10) ensure that all employees of the Department are informed of their rights and remedies under sections 12 and 23 of title 5, United States Code.

(c) COMPONENT STRATEGIES.—

(1) Each component of the Department shall, in coordination with the Chief Human Capital Officer of the Department, develop a 5-year workforce strategy component that will support the goals, objectives, and performance measures of the Department for determining the proper balance of Federal employees and private labor resources.

(2) STRATEGY REQUIREMENTS.—In developing the strategy required under paragraph (1), each component shall consider the effect on human resources associated with creating additional Federal full-time equivalent positions, converting private contractors to Federal employees, or relying on the private sector for goods and services, including—

(A) hiring projections, including occupation and grade level, as well as corresponding salaries, benefits, and hiring or retention bonuses;

(B) the identification of critical skills requirements over the 5-year period, any current or anticipated deficiency in critical skills for the Department, and the training or other measures required to address those deficiencies in skills;

(C) recruitment of qualified candidates and retention of qualified employees;

(D) supervisory and management requirements;

(E) travel and related personnel support costs;

(F) the anticipated cost and impact on mission performance associated with replacing personnel who left the Department or other attrition; and

(G) other appropriate factors.

(3) ANNUAL SUBMISSION.—Not later than 90 days after the date on which the Secretary submits the annual budget justification for the Department, the Secretary shall submit to the congressional homeland security committees and the congressional homeland security committees a report that includes a table, delineated by component with actual and enacted amounts, including—

(1) information on the progress within the Department of fulfilling the workforce strategies developed under subsection (c); and

(2) the number of on-board staffing for Federal employees from the prior fiscal year;

(3) the total contract hours submitted by each prime contractor as part of the service contract inventory required under section 8620 of the Financial Services and General Government Appropriations Act, 2016 (division C of Public Law 114–113; 31 U.S.C. 501 note) with respect to—

(A) support service contracts;

(B) federally funded research and development center contracts; and

(C) science, engineering, technical, and administrative contracts; and

(4) the number of full-time equivalent personnel identified under the Intergovernmental Personnel Act of 1970 (42 U.S.C. 7401 et seq.).

SEC. 6205. WHISTLEBLOWER PROTECTIONS.

(a) In GENERAL.—Section 883 of the Homeland Security Act of 2002 (6 U.S.C. 463) is amended to read as follows:

"SEC. 883. WHISTLEBLOWER PROTECTIONS.

(a) DEFINITIONS.—In this section—

(1) the term 'new employee' means an individual—

(A) appointed to a position as an employee of the Department on or after the date of enactment of the DHS Accountability Act of 2016; and

(B) who has not previously served as an employee of the Department;

(2) the term 'prohibited personnel action' means taking or failing to take an action in any case in which the Secretary determines, under paragraph (1) of section 2302(b) of title 5, United States Code, against an employee of the Department;

(3) the term 'supervisor' means a supervisor as defined under section 7103(a) of title 5, United States Code, who is employed by the Department;

(4) the term 'whistleblower protections' means the protections against and remedies for a prohibited personnel practice described in paragraph (8) or subparagraph (A)(i), (B), (C), or (D) of paragraph (9) of section 2302(b) of title 5, United States Code.

(b) ADVERSE ACTIONS.—

(1) PROPOSED ADVERSE ACTIONS.—In accordance with paragraph (2), the Secretary shall submit, in writing, to the Inspector General of the Department a written notice of adverse action, as described in subsection (c). In the case of an adverse action proposed by the Secretary, the proposed adverse action shall describe—

(A) the date on which the adverse action will be proposed;

(B) the date on which the proposed adverse action will be effective;

(C) the nature of the adverse action proposed;

(D) the basis for the determination that adverse action proposed is warranted;

(E) the name of the person against whom the adverse action is proposed; and

(F) the name and title of the person who is authorized to propose the adverse action.

(2) TIME LIMIT FOR HUMAN CAPITAL POLICY ACTIONS.—In the case of an adverse action proposed by the Secretary, the Inspector General of the Department shall—

(A) determine whether the adverse action is consistent with Federal law; and

(B) if the Inspector General determines that the adverse action is not consistent with Federal law, issue a written recommendation to the Secretary that the adverse action be withdrawn.

(3) BUREAUCRATIC REVIEW.—In the case of an adverse action proposed by the Secretary, the Secretary shall—

(A) refer the matter to the Office of the Comptroller General for a review of the matter; and

(B) on a finding of the Comptroller General that the adverse action is consistent with Federal law, issue a written recommendation to the Secretary that the adverse action be withdrawn.

(4) TIME LIMIT FOR BUREAUCRATIC REVIEW.—In the case of an adverse action proposed by the Secretary, the Comptroller General shall—

(A) determine whether the adverse action is consistent with Federal law; and

(B) if the Comptroller General determines that the adverse action is not consistent with Federal law, issue a written recommendation to the Secretary that the adverse action be withdrawn.

(5) MEANS TO ADDRESS HUMAN CAPITAL POLICY ACTIONS.—In the case of an adverse action proposed by the Secretary, the Secretary shall—

(A) refer the matter to the Office of the Comptroller General for a review of the matter; and

(B) on a finding of the Comptroller General that the adverse action is consistent with Federal law, issue a written recommendation to the Secretary that the adverse action be withdrawn.

(6) TYPICAL ACTIONS.—In the case of an adverse action proposed by the Secretary, the Secretary shall—

(A) refer the matter to the Office of the Comptroller General for a review of the matter; and

(B) on a finding of the Comptroller General that the adverse action is consistent with Federal law, issue a written recommendation to the Secretary that the adverse action be withdrawn.

(7) BUREAUCRATIC REVIEW.—In the case of an adverse action proposed by the Secretary, the Secretary shall—

(A) refer the matter to the Office of the Comptroller General for a review of the matter; and

(B) on a finding of the Comptroller General that the adverse action is consistent with Federal law, issue a written recommendation to the Secretary that the adverse action be withdrawn.

(8) TYPICAL ACTIONS.—In the case of an adverse action proposed by the Secretary, the Secretary shall—

(A) refer the matter to the Office of the Comptroller General for a review of the matter; and

(B) on a finding of the Comptroller General that the adverse action is consistent with Federal law, issue a written recommendation to the Secretary that the adverse action be withdrawn.
"(A) Notice.—A supervisor against whom an adverse action under paragraph (1) is proposed is entitled to written notice.

"(B) Answer and evidence.—(1) A supervisor who is notified under subparagraph (A) that the supervisor is the subject of a proposed adverse action under paragraph (1) is entitled to 14 days following such notification to answer and furnish evidence in support of the answer.

"(II) No evidence.—After the end of the 14-day period described in clause (1), if a supervisor does not furnish evidence as described in clause (1) or if the Secretary determines that the supervisor failed to file a response to the proposed adverse action, the Secretary shall carry out the adverse action.

"(C) Scope of procedures.—(1) Paragraphs (1) and (2) of subsection (b) and subsection (c) of section 7513 of title 5, United States Code, and paragraphs (1) and (2) of subsection (b) and subsection (c) of section 7543 of title 5, United States Code, shall not apply with respect to an adverse action carried out under this subsection.

"(3) No limitation on other adverse actions.—An adverse action against a supervisor under another provision of law, the Secretary may carry out an adverse action under this subsection based on the same prohibited personnel action.

"(c) Training for supervisors.—In consultation with the Special Counsel and the Inspector General of the Department, the Secretary shall provide training regarding how to respond to complaints alleging a violation of whistleblower protections available to employees of the Department—

(1) to employees appointed to supervisory positions in the Department who have not previously served as a supervisor; and

(2) on an annual basis, to all employees of the Department serving in a supervisory position.

"(d) Information on whistleblower protections.—

"(1) Responsibilities of Secretary.—The Secretary shall be responsible for—

(A) the prevention of prohibited personnel practices;

(B) the compliance with and enforcement of applicable civil service laws, rules, and regulations and other aspects of personnel management; and

(C) ensuring (in consultation with the Special Counsel and the Inspector General of the Department) that employees of the Department are informed of the rights and remedies available to them under chapters 12 and 23 of title 5, United States Code, including—

(i) information regarding whistleblower protections available to new employees during the probationary period; and

(ii) the role of the Office of Special Counsel and the Merit Systems Protection Board with regard to whistleblower protections; and

(iii) how to make a lawful disclosure of information that is specifically required by law or Executive order to be kept classified in the interest of national defense or the conduct of foreign affairs to the Special Counsel, the Inspector General of the Department, the Departmental head of the Department, and the Departmental employee designated to receive such disclosures.

"(2) Timing.—The Secretary shall ensure that the information required to be provided under paragraph (1) is provided to each new employee not later than 6 months after the date the new employee is appointed.

"(3) Written.—The Secretary shall make available information regarding whistleblower protections applicable to employees of the Department on the public website of the Department, and on any online portal that is made available only to employees of the Department.

"(4) Delegation.—Any employee to whom the Secretary delegates authority for personnel management, or for any aspect thereof, shall, within the limits of the scope of the delegation, be responsible for the activities described in paragraph (1).

"(e) Rules of construction.—Nothing in this section shall be construed to exempt the Department from requirements applicable with respect to executive agencies—

(1) to provide equal employment protection for employees of the Department (including pursuant to section 2302(b)(1) of title 5, United States Code, and the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5 U.S.C. 2301 note)); and

(2) to provide whistleblower protections for employees of the Department (including pursuant to paragraphs (8) and (9) of section 2302(b) of title 5, United States Code, and the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5 U.S.C. 2301 note));

"(3) Information online.—The Secretary, in consultation with the Special Counsel and the Inspector General, shall make available online—

(i) information regarding whistleblower protections available to employees of the Department;

(ii) the role of the Office of Special Counsel and the Inspector General of the Department; and

(iii) the General Services Administration; and

(iv) the网址 of Shared Services in the Department.

"(f) Technical and conforming amendments.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended by striking the item relating to section 883 and inserting the following:

"(Sec. 883. Whistleblower protections..."

SEC. 6206. COST SAVINGS AND EFFICIENCY REVIEWS.

Not later than 2 years after the date of enactment of this Act, the Secretary, acting through the Department of Homeland Security, shall submit to the congressional homeland security committees a report, which may include a classified or other appropriately controlled annex containing any information required to be submitted under this section that is restricted from public disclosure in accordance with Federal law, including information that is not publicly releasable, that—

(1) provides a detailed accounting of the management and administrative expenditures and activities of each component of the Department and identifies potential cost savings, efficiencies, and efficiencies for those expenditures and activities;

(2) examines major physical assets of the Department, as defined by the Secretary;

(3) reviews the size, experience level, and geographic distribution of the operational personnel of the Department;

(4) makes recommendations for adjustments in the management and administration of the Department that would reduce deficiencies in the capabilities of the Department, reduce costs, and enhance efficiencies; and

(5) examines—

(A) how employees who carry out management and administrative functions at Department headquarters coordinate with employees who carry out similar functions at (i) each component of the Department; (ii) the Office of Personnel Management; and

(iii) the General Services Administration; and

(B) whether any unnecessary duplication, overlap, or fragmentation exists with respect to those functions.

SEC. 6207. ABOLITION OF CERTAIN OFFICES.

(a) Abolishment of the Director of Shared Services.—The position of Director of Shared Services in the Department is abolished.

(b) Abolishment of the Office of Counterterrorism and Infrastructure Protection.—The position of Director of the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended—

(1) in section 843(b)(1)(B) (6 U.S.C. 413(b)(1)(B)), by striking "by—" and all that follows through the end and inserting "by the Secretary; and"

(2) by repealing section 878 (6 U.S.C. 458); and

(3) in the table of contents in section 1(b) (Public Law 107–296; 116 Stat. 2135), by striking the following:

"(Sec. 1(b). Title LXIII—Department transparency and assessments"

SEC. 6301. HOMELAND SECURITY STATISTICS.

Section 478(a) of the Homeland Security Act of 2002 (6 U.S.C. 260(a)) is amended—

(1) in paragraph (1), by striking "to the Committees on the Judiciary and Government Reform of the House of Representa- tives, the Committee on the Judiciary and Government Affairs of the Senate," and inserting "the Committee on the Judiciary of the Senate, the Committee on the Judiciary of the House of Representatives, and the congressional homeland security committees"; and

(2) in paragraph (2), by adding at the end the following:

"(I) The number of persons known to have overstayed the terms of their visa, by visa type;

(II) An estimated percentage of persons believed to have overstayed their visa, by visa type.

(K) A description of immigration enforcement actions."

SEC. 6302. ANNUAL HOMELAND SECURITY ASSESSMENT.

(a) In General.—Subtitle A of title II of the Homeland Security Act of 2002 (6 U.S.C. 211 et seq.), is amended by adding at the end the following:

"(Sec. 210G. Annual homeland security assessment..."
SEC. 6303. DEPARTMENT TRANSPARENCY.
(a) FEASIBILITY STUDY.—The Administrator of the Federal Emergency Management Agency shall initiate a study to determine the feasibility of gathering data and providing information to Congress on the use of Federal grant awards, for expenditures of more than $5,000, by entities that receive a Federal grant under the Urban Area Security Initiative and the State Homeland Security Grant Program under sections 2003 and 2004 of the Homeland Security Act of 2002 (6 U.S.C. 585), respectively.
(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency shall submit to the congressional homeland security committees a report on the results of the study required under subsection (a).

SEC. 6304. TRANSPARENCY IN RESEARCH AND DEVELOPMENT.
(a) IN GENERAL.—Title III of the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended by adding at the end the following:

"SEC. 319. TRANSPARENCY IN RESEARCH AND DEVELOPMENT.
"(a) REQUISITION TO PUBLICLY LIST UNCLASSIFIED RESEARCH & DEVELOPMENT PROGRAMS.—
"(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary shall maintain a detailed list, accessible on the website of the Department, of—
"(A) each research and development project that is not classified, and all appropriate details for each unclassified information, the public dissemination of which would jeopardize operational security; and
"(B) each task order for a Federally Funded Research and Development Center not associated with a research and development project; and
"(c) each task order for a University-based Center of Excellence not associated with a research and development project.
"(2) EXCEPTIONS.—
"(A) OPERATIONAL SECURITY.—The Secretary, or a designee of the Secretary with the rank of Assistant Secretary or above, may exclude a project from the list required under paragraph (1) if the Secretary or such designee determines that such exclusion is necessary to protect national security, including all appropriate details of the Department responsible for the project.
"(B) each task order for a Federally Funded Research and Development Center not associated with a research and development project; and
"(c) each task order for a University-based Center of Excellence not associated with a research and development project.
"(d) DEFINITIONS.—In this section:
"(1) ALL APPROPRIATE DETAILS.—The term 'all appropriate details' means—
"(A) the name of the project, including both classified and unclassified names if applicable;
"(B) the name of the component carrying out the project;
"(C) an abstract or summary of the project;
"(D) funding levels for the project;
"(E) project duration or timeline;
"(F) the name of each contractor, grantee, or cooperative agreement partner involved in the project;
"(G) expected objectives and milestones for the project; and
"(H) to the maximum extent practicable, relevant literature and patents that are associated with the project.
"(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term 'appropriate congressional committees' means—
"(A) the Committee on Homeland Security and Governmental Affairs of the Senate;
"(B) the Committee on Homeland Security of the House of Representatives; and
"(C) the Committee on Oversight and Government Reform of the House of Representatives.
"(3) CLASSIFIED.—The term 'classified' means anything containing—
"(A) classified national security information as defined in section 6.1 of Executive Order 13526 (50 U.S.C. 3161 note) or any successor order;
"(B) any revised or updated Data or data that was formerly Restricted Data, as defined in section 11y. of the Atomic Energy Act of 1942 (42 U.S.C. 2144y);
"(C) material classified at the Sensitive Compartmented Information (SCI) level as defined in section 309 of the Intelligence Authorization Act for Fiscal Year 2001 (50 U.S.C. 3345).
"(D) information relating to a special access program, as defined in section 6.1 of Executive Order 13526 (50 U.S.C. 3161 note) or any successor order;
"(E) CONTROLLED UNCLASSIFIED INFORMATION.—The term 'controlled unclassified information' means information described as controlled unclassified information under Executive Order 13556 (50 U.S.C. 3161 note) or any successor order;
"(F) PROJECT.—The term 'project' means a research and development project, program, or activity administered by the Department, whether ongoing, completed, or otherwise terminated.
"(G) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107-206; 116 Stat. 2135) is amended by inserting after the item relating to section 318 the following:
"‘Sec. 319. Transparency in research and development.’.

SEC. 6305. REPORTING ON NATIONAL BIO AND AGRO-DEFENSE FACILITY.
(a) IN GENERAL.—Section 310 of the Homeland Security Act of 2002 (6 U.S.C. 190) is amended by adding at the end the following:
"(e) SUCCESSOR FACILITY.—The National Bio and Agro-Defense Facility, the planned successor facility to the Plum Island Animal Disease Center as of the date of enactment of this Act, shall submit to the congressional homeland security committees a report on the National Bio and Agro-Defense Facility that includes—
"(A) a review of the status of the construction of the National Bio and Agro-Defense Facility, including—
"(i) current cost and schedule estimates;
"(ii) any revisions to previous estimates described in clause (i); and
"(iii) total obligation as of date;
"(B) a description of activities carried out to prepare for the transfer of research to the facility and the activation of that research; and
"(C) a description of activities that have occurred to decommission the Plum Island Animal Disease Center.
"(f) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary of Homeland Security and the Secretary of Agriculture shall submit to the congressional homeland security committees a report on the National Bio and Agro-Defense Facility that includes—
"(1) the extent to which cost and schedule estimates for the project are consistent with capital planning leading practices as determined by the Comptroller General;
"(2) the extent to which the project's planning, budgeting, acquisition, and proposed management in use conform to capital planning leading practices as determined by the Comptroller General; and
"the extent to which disposal of the Plum Island Animal Disease Center conforms to capital planning leading practices as determined by the Comptroller General.

SEC. 6306. INSPECTOR GENERAL OVERSIGHT OF SUSPENSION.
Not later than 3 years after the date of enactment of this Act, the Inspector General of the Department shall—
(a) review the suspension of grants and procurement contracts to identify—
(A) instances in which a grant or contract was improperly awarded to a suspended or debarred entity; and
(B) whether corrective actions were taken following such instances to prevent recurrence; and
review the suspension and debarment program throughout the Department to assess whether—
(A) suspension and debarment criteria are consistently applied throughout the Department; and
(B) disparities exist in the application of the criteria, particularly with respect to business size and category.

SEC. 6307. FUTURE YEARS HOMELAND SECURITY PROGRAM.

(a) IN GENERAL.—Section 874 of the Homeland Security Act of 2002 (6 U.S.C. 454) is amended—
(1) in the section heading, by striking "YEARS" and inserting "YEARS";
(2) by striking subsection (a) and inserting the following:

"(a) IN GENERAL.—Not later than 60 days after the date on which the budget of the President is submitted to Congress under section 1105(a) of title 31, United States Code, the Secretary shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives (referred to in this section as the ‘appropriate committees’) a Future Years Homeland Security Program that covers the fiscal year for which the budget is submitted, and the 4 succeeding fiscal years.; and
(3) by striking subsection (c) and inserting the following:

"(c) J OINT ANNUAL INTERAGENCY REVIEW OF PROGRAM.—On and after January 1, 2016, each Future Years Homeland Security Program shall include a joint annual review by—

"(1) acquisition estimates for the fiscal year for which the budget is submitted and the 4 succeeding fiscal years, with specified estimates for each fiscal year, for all major acquisitions by the Department and each component of the Department; and

"(2) estimated annual deployment schedules for new and major existing capabilities, including the criteria, particularly with respect to business size and category.

(b) DETAILED AND UPDATING INFORMATION.—The Secretary shall include—

"(1) in paragraph (5), by striking ''an annual'' and inserting ''a biennial'';

(c) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply with respect to each fiscal year beginning after the date of enactment of this Act.

SEC. 6309. REPORTING REDUCTION.

(a) OFFICE OF COUNTERNARCOTICS SEIZURES REPORT.—Section 705(a) of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1704(a)) is amended by striking paragraph (3).

(b) ANNUAL REPORT ON ACTIVITIES OF THE NATIONAL NUCLEAR DETECTION OFFICE.—Section 1907 of the Homeland Security Act of 2002 (6 U.S.C. 592(a)(13)) is amended by striking "an annual" and inserting "a biaennial".

(c) JOINT ANNUAL INTERAGENCY REVIEW OF GLOBAL ARCHITECTURE.—Section 1907 of the Homeland Security Act of 2002 (6 U.S.C. 596a) is amended—

"(1) in subsection (a)—
(A) in the subsection heading, by striking "ANNUAL" and inserting "BIENNAL";
(B) in paragraph (1)—
(i) in the matter preceding subparagraph (A), by striking "once each year" and inserting "once every other year"; and
(ii) in subparagraph (C)—
(I) in clause (1), by striking "the previous year" and inserting "the previous 2 years"; and
(II) in clause (iii), by striking "the previous year" and inserting "the previous 2 years";
and
(C) in paragraph (2), by striking "once each year," and inserting "once every other year," and

"(2) in subsection (b)—
(A) in the subsection heading, by striking "ANNUAL" and inserting "BIENNAL";
(B) in paragraph (1), by striking "of each year," and inserting "of every other year," and
(C) in paragraph (2), by striking "annual" and inserting "biennial".

SEC. 6310. ADDED DEFINITIONS.

Section 2 of the Homeland Security Act of 2002 (6 U.S.C. 101) is amended—

"(1) by redesigning paragraphs (13) through (18) as paragraphs (17) through (22), respectively;
(2) by redesigning paragraphs (9) through (12) as paragraphs (15) through (18), respectively;
(3) by redesigning paragraphs (4) through (8) as paragraphs (6) through (10), respectively;
(4) by redesigning paragraphs (1), (2), and (3) as paragraphs (2), (3), and (4), respectively;
(5) by inserting before paragraph (1) the following:

"(i) The term 'acquisition' has the meaning given the term in section 131 of title 41, United States Code.;

by paragraph (3), as so redesignated—
(A) by inserting "(A)" after "(3)"; and
(B) by adding at the end the following:

"(B) The term 'congressional homeland security resources to requirements';

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

(ii) the Committee on Homeland Security of the House of Representatives;

(iii) the Subcommittee on Homeland Security of the Committee on Appropriations of the Senate; and

(iv) the Subcommittee on Homeland Security of the Committee on Appropriations of the House of Representatives;".

(7) by inserting after paragraph (4), as so redesignated, the following:

"(D) The term "best practices", with respect to acquisition, means a knowledge-based approach to capability development that includes—

(A) identifying and validating needs;

(B) assessing alternatives to select the most appropriate solution;

(C) clearly establishing well-defined requirements;

(D) developing realistic cost assessments and schedules;

(E) planning stable funding that matches resource requirements;

(F) demonstrating technology, design, and manufacturing maturity;

(G) using milestones and exit criteria or specific accomplishments that demonstrate progress;

(H) adopting and executing standardized processes with known success across programs; and

(I) establishing an adequate workforce that is qualified and sufficient to perform necessary functions; and

(J) integrating capabilities into the mission and business operations of the Department.;">

"(b) by inserting after paragraph (10), as so redesignated, the following:

"(I) The term ' homeland security enterprise' means all relevant governmental and nongovernmental entities involved in homeland security, including Federal, State, local, tribal, and territorial government officials, private sector representatives, academia, and other policy experts.; and

(9) by inserting after paragraph (15), as so redesignated, the following:

"(J) The term 'management integration and transformation'—

(A) means the development of consistent and consolidated functions for information technology, financial management, acquisition management, logistics and material resource management, asset management, human capital management, and provision of security, as they relate to functions cited in subparagraph (A).;"
TITLE LXIV—MISCELLANEOUS

SEC. 6401. ADMINISTRATIVE LEAVE.

(a) SHORT TITLE.—This section may be cited as the “Administrative Leave Act of 2016.”

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

(1) agency use of administrative leave, and leave that is referred to incorrectly as administrative leave in agency recording practices, has exceeded reasonable amounts—

(A) in contravention of—

(i) established precedent of the Comptroller General of the United States; and

(ii) guidance provided by the Office of Personnel Management; and

(B) resulting in significant cost to the Federal Government;

(2) administrative leave should be used sparingly;

(3) prior to the use of leave paid to address personnel issues, an agency should consider other actions, including—

(A) temporary reassignment;

(B) transfer; and

(C) telework;

(4) an agency should prioritize and expeditiously conclude an investigation in which an employee is placed in administrative leave so that, not later than the conclusion of the leave period—

(A) the employee is returned to duty status; or

(B) an appropriate personnel action is taken with respect to the employee;

(5) data show that there are too many examples of employees placed in administrative leave for 6 months or longer, leaving the employees without any available recourse to—

(A) return to duty status; or

(B) challenge the decision of the agency;

(6) an agency should ensure accurate and consistent recording of the use of administrative leave so that administrative leave can be managed and overseen effectively; and

(7) other forms of excessed absence authorized by law should be recorded separately from administrative leave, as defined by the amendments made by this section.

(c) ADMINISTRATIVE LEAVE.—

(1) IN GENERAL.—Subchapter II of chapter 63 of title 5, United States Code, is amended by adding at the end the following:

“(1) DETERMINATIONS.—An agency may not

(A) make a determination with respect to an employee that—

(i) the employee is no longer a threat to—

(A) safety;

(B) resulting in the destruction of evidence relevant to an investigation;

(C) result in loss of or damage to Government property; or

(D) otherwise jeopardize legitimate Government interests.

(ii) or

(B) result in the destruction of evidence relevant to an investigation;

(C) result in loss of or damage to Government property; or

(D) otherwise jeopardize legitimate Government interests.

(iii) or

(B) result in the destruction of evidence relevant to an investigation;

(C) result in loss of or damage to Government property; or

(D) otherwise jeopardize legitimate Government interests.

(ii) or

(B) result in the destruction of evidence relevant to an investigation;

(C) result in loss of or damage to Government property; or

(D) otherwise jeopardize legitimate Government interests.

3. ASSIGNING OPTIONS FOR EMPLOYEES UNDER INVESTIGATION OR IN A NOTICE PERIOD.—

(A) AUTHORITY.—An agency may—

(i) make a determination with respect to an employee that—

(ii) or

(B) result in the destruction of evidence relevant to an investigation;

(C) result in loss of or damage to Government property; or

(D) otherwise jeopardize legitimate Government interests.

(iii) or

(B) result in the destruction of evidence relevant to an investigation;

(C) result in loss of or damage to Government property; or

(D) otherwise jeopardize legitimate Government interests.

(ii) or

(B) result in the destruction of evidence relevant to an investigation;

(C) result in loss of or damage to Government property; or

(D) otherwise jeopardize legitimate Government interests.

(iii) or

(B) result in the destruction of evidence relevant to an investigation;

(C) result in loss of or damage to Government property; or

(D) otherwise jeopardize legitimate Government interests.

(ii) or

(B) result in the destruction of evidence relevant to an investigation;

(C) result in loss of or damage to Government property; or

(D) otherwise jeopardize legitimate Government interests.

(iii) or

(B) result in the destruction of evidence relevant to an investigation;

(C) result in loss of or damage to Government property; or

(D) otherwise jeopardize legitimate Government interests.

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(B) result in the destruction of evidence relevant to an investigation;

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(C) result in loss of or damage to Government property; or

(D) otherwise jeopardize legitimate Government interests.

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(B) result in the destruction of evidence relevant to an investigation;

(C) result in loss of or damage to Government property; or

(D) otherwise jeopardize legitimate Government interests.

(iii) or

(B) result in the destruction of evidence relevant to an investigation;

(C) result in loss of or damage to Government property; or

(D) otherwise jeopardize legitimate Government interests.

(ii) or

(B) result in the destruction of evidence relevant to an investigation;

(C) result in loss of or damage to Government property; or

(D) otherwise jeopardize legitimate Government interests.

(iii) or

(B) result in the destruction of evidence relevant to an investigation;

(C) result in loss of or damage to Government property; or

(D) otherwise jeopardize legitimate Government interests.

(ii) or

(B) result in the destruction of evidence relevant to an investigation;

(C) result in loss of or damage to Government property; or

(D) otherwise jeopardize legitimate Government interests.

(iii) or

(B) result in the destruction of evidence relevant to an investigation;

(C) result in loss of or damage to Government property; or

(D) otherwise jeopardize legitimate Government interests.

(ii) or

(B) result in the destruction of evidence relevant to an investigation;

(C) result in loss of or damage to Government property; or

(D) otherwise jeopardize legitimate Government interests.

(iii) or

(B) result in the destruction of evidence relevant to an investigation;

(C) result in loss of or damage to Government property; or

(D) otherwise jeopardize legitimate Government interests.
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“(D) If the employee is absent from duty without approved leave, carrying the employee in absence without leave status.

“(E) For an employee subject to a notice period extending the notice period if there is reasonable cause to believe the employee has committed a crime for which a sentence of imprisonment may be imposed.

“(F) If the employee during the period of investigative leave shall be for a period not longer than 10 days.

“(B) NOTICE LEAVE.—Placement of an employee shall not extend for a period not longer than the duration of the notice period.

“(4) EXPLANATION OF LEAVE.—

“(A) IN GENERAL.—If an agency places an employee in leave under subsection (b), the agency shall provide the employee with a written explanation of the leave placement and the reasons for the leave placement.

“(B) EXPLANATION.—The written notice subparagraph (A) shall describe the limitations of the leave placement, including—

“(i) the applicable limitations under paragraph (3); and

“(ii) in the case of a placement in investigative leave that, at the conclusion of the period of leave, the agency shall take an action under paragraph (5).

“(5) AGENCY ACTION.—Not later than the day after the last day of a period of investigative leave for an employee under subsection (b)(1), an agency shall—

“(A) return the employee to regular duty status;

“(B) take 1 or more of the actions authorized under paragraph (2), meaning—

“(i) assigning the employee to duties in which the employee is no longer a threat to—

“(ii) safety;

“(iii) the mission of the agency;

“(III) Government property; or

“(IV) evidence relevant to an investigation;

“(i) allowing the employee to take leave for which the employee is eligible;

“(ii) requiring the employee to telework under section 6502(c);

“(iv) if the employee is absent from duty without approved leave, carrying the employee in absence without leave status; or

“(v) for an employee subject to a notice period, curtailing the notice period if there is reasonable cause to believe the employee has committed a crime for which a sentence of imprisonment may be imposed;

“(C) propose or initiate an adverse action against the employee as provided under law; or

“(D) extend the period of investigative leave under subsections (d) and (e).

“(6) RULE OF CONSTRUCTION.—Nothing in paragraph (5) shall be construed to prevent the continued investigation of an employee, except that the placement of an employee in investigative leave may not be extended for that purpose except as provided in subsections (d) and (e).

“(d) INITIAL EXTENSION OF INVESTIGATIVE LEAVE.—

“(1) IN GENERAL.—Subject to paragraph (4), if the Chief Human Capital Officer of an agency, or the designee of the Chief Human Capital Officer, approves such an extension after consulting with the investigator responsible for conducting the investigation to which an employee is subject, the agency may extend the period of investigative leave for the employee under subsection (b) for not more than 30 days.

“(2) MAXIMUM NUMBER OF EXTENSIONS.—The total period of additional investigative leave for an employee under paragraph (1) may not exceed 180 days.

“(3) CONSULTATION GUIDANCE.—Not later than 1 year after the date of enactment of this section, the Chief Human Capital Officer of an agency shall—

“(A) consult with the Inspector General of the agency delegated the authority to approve an extension under paragraph (1) to a designee, the designee is at a sufficiently high level within the agency to make an impartial and independent determination regarding the extension.

“(B) EXPLANATION.—In the case of an employee of an Office of Inspector General—

“(i) the Inspector General or the designee of the Inspector General, rather than the Chief Human Capital Officer or the designee of the Chief Human Capital Officer, shall approve an extension of a period of investigative leave for the employee under paragraph (1); or

“(ii) at the request of the Inspector General, the head of the agency within which the Office of Inspector General is located shall designate an official of the agency to approve an extension of a period of investigative leave for the employee under paragraph (1).

“(B) GUIDANCE.—Not later than 1 year after the date of enactment of this section, the Council of the Inspectors General on Integrity and Efficiency and the Inspector General submit a notice that includes the reasons for the further extension to—

“(A) committees of jurisdiction;

“(B) Committees on Oversight and Government Reform of the House of Representatives;

“(C) Committee on Oversight and Government Reform of the Senate; and

“(D) the designee is at a sufficiently high level within the Office of Inspector General or the agency, as applicable, to make an impartial and independent determination regarding the extension.

“(e) FURTHER EXTENSION OF INVESTIGATIVE LEAVE.—

“(1) IN GENERAL.—After reaching the limit under subsection (d)(2), an agency may further extend a period of investigative leave for an employee for a period of not more than 60 days if, before the further extension begins, the head of the agency or, in the case of an employee of an Office of Inspector General, the Inspector General submits a notification that includes the reasons for the further extension to—

“(A) committees of jurisdiction;

“(B) Committees on Oversight and Governmental Affairs of the Senate; and

“(C) Committee on Oversight and Government Reform of the House of Representatives.

“(2) NO LIMIT.—There shall be no limit on the number of further extensions that an agency may grant to an employee under paragraph (1).

“(3) OPM REVIEW.—An agency shall request from the Director, and include with the notification required under paragraph (1), the opinion of the Director that—

“(A) with respect to whether to grant a further extension under this subsection, including the reasons for that opinion; and

“(B) which shall not be binding on the agency.

“(4) SUNSET.—The authority provided under this subsection shall expire on the date that is 60 days after the date of enactment of this section.

“(f) CONSULTATION GUIDANCE.—Not later than 1 year after the date of enactment of this section, the Council of the Inspectors General on Integrity and Efficiency, in consultation with the Attorney General and the Inspector General, shall draft best practices for consultation between an investigator and an agency on the need to place an employee in investigative leave during an investigation of the employee, including during a criminal investigation, because the continued presence of the employee in the workplace may—

“(i) pose a threat to the employee or others;

“(ii) result in the destruction of evidence relevant to an investigation;

“(iii) result in loss of or damage to Government property; or

“(iv) otherwise jeopardize legitimate Government interests.

“(g) REPORTING AND RECORDS.—

“(1) IN GENERAL.—An agency shall keep a record of the placement of an employee in investigative leave or notice leave by the agency, including—

“(A) the basis for the determination made under subsection (c)(1); and

“(B) an explanation of why an action under subsection (c)(2) was not appropriate.

“(2) CIRCUMSTANCES.—The period of investigative leave, the leave categories described in subparagraph (A), and the reasons for authorizing the leave, including, if applicable, the recommendation made by an investigator under subsection (d); and

“(F) the action taken by the agency at the end of the period of leave, including, if applicable, the granting of any extension of a period of investigative leave under subsection (d) or (e).

“(2) AVAILABILITY OF RECORDS.—An agency shall make a record kept under paragraph (1) available—

“(A) to any committee of Congress, upon request;

“(B) to the Office of Personnel Management; and

“(C) as otherwise required by law, including for the purposes of the Administrative Leave Act of 2016 and the amendments made by that Act.

“(h) REGULATIONS.—

“(1) OPM ACTION.—Not later than 1 year after the date of enactment of this section, the Director shall prescribe regulations to ensure that the continued presence of an employee in the workplace may—

“(i) pose a threat to the employee or others;

“(ii) result in the destruction of evidence relevant to an investigation;

“(iii) result in loss or damage to Government property; or

“(iv) otherwise jeopardize legitimate Government interests; and

“(D) procedures and criteria for the approval of an extension of a period of investigative leave under subsection (d) or (e).

“(2) AGENCY ACTION.—Not later than 1 year after the date on which the Director prescribed regulations under paragraph (1), each agency shall—

“(1) implement such regulations and implement the internal policies of the agency to meet the requirements of this section.

“(2) RELATION TO OTHER LAWS.—Notwithstanding subsection (a) of section 7421 of title 5, this section shall apply to an employee described in subsection (b) of that section.

“(PERSONNEL.—Section 2302(a)(2)(A) of title 5, United States Code, is amended—
(A) in clause (xi), by striking "and" at the end;
(B) by redesignating clause (xii) as clause (xiii); and
(C) by inserting after clause (xi) the following:
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"(xii) a determination made by an agency under section 6329c(c)(1) that the continued presence of an employee in the workplace, during an investigation of the employee or while the employee is in a notice period, if applicable, may—
(I) pose a threat to the employee or others;
(II) result in the destruction of evidence relevant to an investigation;
(III) result in loss of or damage to Government property; or
(IV) otherwise jeopardize legitimate Government interests.
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(3) GAO REPORT.—Not later than 5 years after the date of enactment of this Act, the Comptroller General of the United States shall report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives regarding the results of an evaluation of the implementation of the authority provided under sections 6329a and 6329b of title 5, United States Code, as added by subsection (c)(1) of this section, including—
(A) an assessment of agency use of the authority provided under subsection (e) of such sections, including data regarding—
(i) the number and length of extensions granted under that subsection; and
(ii) the number of times that the Director of the Office of Personnel Management, under paragraph (3) of that subsection—
(I) concurred with the decision of an agency to grant an extension; and
(II) did not concur with the decision of an agency to grant an extension, including the bases for those opinions of the Director;
(B) recommendations to Congress, as appropriate, on the need for extensions beyond the extensions authorized under subsection (d) of such section 6329b; and
(C) a review of the practice of agency placement of an employee in investigative or notice leave under subsection (b) of such section 6329b because of a determination under subsection (c)(1) of that section that the employee jeopardized legitimate Government interests, including the extent to which such determinations were supported by evidence.

(4) TELEWORK.—Section 6502 of title 5, United States Code, is amended by adding at the end the following:
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"(e) REQUIRED TELEWORK.—If an agency determines under section 6329b(c)(1) that the continued presence of an employee in the workplace during an investigation of the employee or while the employee is in a notice period, if applicable, may pose 1 or more of the threats described in that section and the employee is eligible to telework under subsections (a) and (b) of this section, the agency may require the employee to telework for the duration of the investigation or the notice period, if applicable."
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(5) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for subchapter II of chapter 63 of title 5, United States Code, is amended by striking the item relating to section 6329b, as added by this section, the following:
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"6329b. Investigative leave and notice leave for weather and safety issues."
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(1) IN GENERAL.—Subchapter II of chapter 63 of title 5, United States Code, as amended by this section, is further amended by adding at the end the following:
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"§ 6329c. Weather and safety leave

(1) DEFINITIONS.—In this section—
(I) the term 'agency'—
(A) means an Executive agency (as defined in section 185 of this title); and
(B) does not include the Government Accountability Office; and
(II) the term 'employee'—
(A) means the meaning given the term in section 2105; and
(B) does not include an intermittent employee who does not have an established regular tour of duty during the administrative workweek;
(B) LEAVE FOR WEATHER AND SAFETY ISSUES.—An agency may approve the provision of leave, under this section, to an employee or a group of employees without loss of or reduction in the pay of the employee or employees, leave to which the employee or employees are otherwise entitled, or credit to the employee or employees for time or service only if the employee or group of employees is prevented from safely traveling to or performing work at an approved location due to—
(1) an act of God;
(2) a terrorist attack; or
(3) another condition that prevents the employee or group of employees from safely traveling to or performing work at an approved location.
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(a) SENSE OF CONGRESS.—It is the sense of Congress that it should be the policy of the United States—
(I) to continue to regularly assess the evolving terrorist threat to the United States;
(II) to catalog existing Federal Government efforts to obstruct terrorist and foreign fighter travel into, out of, and within the United States, and overseas;
(III) to identify such efforts that may benefit from reform or consolidation, or require elimination;
(4) to identify potential security vulnerabilities in United States defenses against terrorist travel; and
(5) to prioritize resources to address any such security vulnerabilities in a risk-based manner.
(b) National Strategy and Updates.—
(1) In General.—Not later than 180 days after the date of enactment of this Act, the President shall submit a national strategy to combat terrorist travel to the appropriate congressional committees. The strategy shall address efforts to intercept terrorists and foreign fighters and constrain the domestic and international travel of such persons. Consistent with the protection of classified information, the strategy shall be submitted in unclassified form, including, as appropriate, a classified annex.
(2) Updated Strategies.—Not later than 180 days after the date on which a new President is inaugurated, the President shall submit an updated version of the strategy described in paragraph (1) to the appropriate congressional committees.
(3) Contents.—The strategy required under this subsection shall—
(A) include an accounting and description of all Government programs, projects, and activities designed to constrain domestic and international travel by terrorists and foreign fighters;
(B) identify specific security vulnerabilities within the United States and outside of the United States that may be exploited by terrorists and foreign fighters;
(C) describe the actions that will be taken to achieve the goals delineated under subparagraph (B) and the means needed to carry out such actions, including—
(i) steps to reform, improve, and streamline existing Federal Government efforts to align with the current threat environment;
(ii) new programs, projects, or activities that are requested, under development, or under implementation;
(iii) new authorities or changes in existing authorities needed from Congress;
(iv) specific budget adjustments being requested, and the need for additional United States security in a risk-based manner; and
(v) the Federal departments and agencies responsible for the specific actions described in this subparagraph;
(D) describe the actions that will be taken to achieve the goals delineated under subparagraph (B) and the means needed to carry out such actions, including—
(i) steps to reform, improve, and streamline existing Federal Government efforts to align with the current threat environment;
(ii) new programs, projects, or activities that are requested, under development, or under implementation;
(iii) new authorities or changes in existing authorities needed from Congress;
(iv) specific budget adjustments being requested, and the need for additional United States security in a risk-based manner; and
(v) the Federal departments and agencies responsible for the specific actions described in this subparagraph;
(4) Sunset.—The requirement to submit updated national strategies under this subsection shall terminate on the date that is 7 years after the date of enactment of this Act.
(c) Development of Implementation Plans.—For each national strategy required under this subsection, the President shall direct the heads of relevant Federal agencies to develop implementation plans for each such agency.
(d) Implementation Plans.—
(1) In General.—The President shall submit an implementation plan developed under subsection (c) to the appropriate congressional committees with each national strategy required under subsection (b). Consistent with the protection of classified information, each such implementation plan shall be submitted in unclassified form, but may include a classified annex.
(2) Annual Updates.—The President shall submit an annual updated implementation plan to the appropriate congressional committees during the 10-year period beginning on the date of enactment of this Act.
(e) Prohibition on Additional Funding.—No additional funds are authorized to be appropriated to carry out this section.
(f) Definition.—In this section, the term ‘‘appropriate congressional committees’’ means—
(1) the Committee on Homeland Security and Governmental Affairs of the Senate;
(2) the Committee on Armed Services of the Senate;
(3) the Select Committee on Intelligence of the Senate;
(4) the Committee on the Judiciary of the Senate;
(5) the Committee on Foreign Relations of the Senate;
(6) the Committee on Appropriations of the Senate;
(7) the Committee on Homeland Security of the House of Representatives;
(8) the Committee on Armed Services of the House of Representatives;
(9) the Permanent Select Committee on Intelligence of the House of Representatives;
(10) the Committee on the Judiciary of the House of Representatives;
(11) the Committee on Foreign Affairs of the House of Representatives; and
(12) the Committee on Appropriations of the House of Representatives.
SEC. 6404. NORTHERN BORDER THREAT ANALYSIS.
(a) Definitions.—In this section:
(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘‘appropriate congressional committees’’ means—
(A) the Committee on Homeland Security and Governmental Affairs of the Senate;
(B) the Committee on Appropriations of the Senate;
(C) the Committee on the Judiciary of the Senate;
(D) the Committee on Homeland Security of the House of Representatives;
(E) the Committee on Appropriations of the House of Representatives; and
(F) the Committee on the Judiciary of the House of Representatives.
(b) Northern Border.—The term ‘‘Northern Border’’ means the land and maritime borders between the United States and Canada.
(c) Northern Border Threat Analysis.—
(1) In General.—The President shall—
(A) submit a Northern Border threat analysis to the appropriate congressional committees and—
(i) identify potential Northern Border threats; and
(ii) assess the reasons for the occurrence of such threats.
(b) Northern Border Threat Analysis.—The President shall—
(1) submit a strategy to the appropriate congressional committees; and
(2) submit an annual updated implementation plan to the appropriate congressional committees.
(c) Analysis Requirements.—For the threat analysis required under subsection (b), the Secretary shall consider and examine—
(1) technology needs and challenges;
(2) personnel needs and challenges;
(3) the role of State, tribal, and local law enforcement in general border security activities;
(4) the need for cooperation among Federal, State, tribal, local, and Canadian law enforcement entities relating to border security;
(5) the terrain, population density, and climate along the Northern Border; and
(6) the needs and challenges of Department facilities, including the physical approaches to such facilities.
(d) Classified Threat Analysis.—To the extent possible, the Secretary shall submit the threat analysis required under subsection (b) in unclassified form. The Secretary may submit a portion of the threat analysis in classified form if the Secretary determines that such form is appropriate for that portion.
SA 4501. Ms. MURkowski submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:
At the end of subtitle I of title X, add the following:
SEC. 1097. EXTENSION OF AUTHORIZATION OF APPROPRIATIONS FOR GRANTS TO VETERANS SERVICE ORGANIZATIONS FOR TRANSPORTATION OF HIGHLY RURAL VETERANS.
Section 307(d) of the Caregivers and Veterans Omnibus Health Services Act of 2010 (Public Law 111–163; 124 Stat. 1154; 38 U.S.C. 1710 note) is amended by striking ‘‘2016’’ and inserting ‘‘2017’’.
SA 4502. Ms. MURKOWSKI (for herself, Mr. WHITEHOUSE, Mr. SULLIVAN, Ms. KLOUCHAR, Mr. FRANKEN, Ms. BALKIUK, and Mr. BONESKIE) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:
At the end of subtitle I of title X, add the following:
SEC. 1097. ELIGIBILITY OF CERTAIN INDIVIDUALS FOR INTERMENT IN NATIONAL CEMETERIES.
(a) In General.—Section 2402(a) of title 38, United States Code, is amended by adding at the end the following new paragraph:
(10) Any individual—
(A) who—
(i) is a veteran who served on active duty;
(ii) was naturalized pursuant to section 2(1) of the Hmong Veterans’ Naturalization Act of 2000 (Public Law 106–207; 8 U.S.C. 1423 note); and
(iii) at the time of the individual’s death resided in the United States; or
(B) who—
(i) is the Secretary determines served with a special guerrilla unit or irregular forces operating from a base in Laos in support of the
Armed Forces of the United States at any time during the period beginning February 28, 1961, and ending May 7, 1975; and

(ii) the United States or an alien lawfully admitted for permanent residence in the United States; and

(ii) resided in the United States.

(b) The amendment made by subsection (a) shall apply with respect to an individual dying on or after the date of the enactment of this Act.

SA 4503. Mr. COTTON submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1247. PROHIBITION ON REQUIRING UNITED STATES AIR CARRIERS TO COMPLY WITH AIR DEFENSE IDENTIFICATION ZONES DECLARED BY THE PEOPLE’S REPUBLIC OF CHINA.

The Administrator of the Federal Aviation Administration may not require, or provide instructions to, an air carrier that holds an air carrier certificate issued under chapter 411 of title 49, United States Code, to comply with any air defense identification zone declared by the People’s Republic of China that is inconsistent with United States policy, overlaps with preexisting air identification zones, covers disputed territory, or lies over the East China Sea or South China Sea.

SA 4504. Mr. HOEVEN (for himself and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1655. IDENTIFICATION AND CORRECTION OF CAPABILITIES SHORTFALLS WITH RESPECT TO enforcing the Security of the United States Intercontinental Ballistic Missile Nuclear Forces.

(a) IDENTIFICATION OF CAPABILITIES SHORTFALLS.—Not later than 15 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the actions taken pursuant to paragraph (1):

(1) A description of capabilities shortfalls identified in the report required by subsection (a);

(b) CORRECTION OF CAPABILITIES SHORTFALLS.—

(1) IN GENERAL.—Not later than 45 days after the date of the enactment of this Act, the Secretary of Defense shall:

(A) take action to mitigate any capabilities shortfalls identified in the report required by subsection (a);

(B) begin a process, pursuant to section 2304 of title 10, United States Code, to procure UH-1N replacement aircraft for which contracts can be entered into by fiscal year 2018, and

(C) obtain a certification from the Commander of the United States Strategic Command that the action described in subparagraph (A) will effectively mitigate any capabilities shortfalls identified in the report required by subsection (a) until the helicopters described in subparagraph (B) can be procured and fielded.

(2) REPORT REQUIRED.—

(A) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the actions taken pursuant to paragraph (1).

(B) FORM OF REPORT.—The report required by subparagraph (A) shall be submitted in unclassified form, but may include a classified annex.

SA 4505. Mr. DONNELLY (for himself, Mr. INHOFE, Mr. KAIN, Mr. HATCH, and Mr. ROUNDS) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 663. REPORT ON MODIFICATION OF BASIC ALLOWANCE FOR SUBSISTENCE IN LIGHT OF AUTHORITY FOR VARIABLE PRICING OF GOODS AT COMMISARY STORES.

Not later than March 31, 2017, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the feasibility and advisability of modifying the amounts payable for basic allowance for subsistence (BAS) for members of the Armed Forces in light of potential changes in prices of goods and services at commissary stores pursuant to the authority granted by the amendments made by section 661. The report shall include the following:

(1) An assessment of the potential for increases in prices of goods and services at commissary stores by reason of such authority, set forth by locality.

(2) An assessment of the feasibility and advisability of modifications in the amounts payable for basic allowance for subsistence (BAS) for members of the Armed Forces in light of such potential increases in prices, including paying basic allowance for subsistence at different rates in different locations.

SA 4506. Ms. WARREN (for herself, Mr. WHITEHOUSE, Mr. MARKEY, Ms. BALDWIN, Mr. MURPHY, Mr. LEAHY, Mrs. MURRAY, Mr. MERKLEY, Mr. CASEY, Ms. CANTWELL, Mr. SANDERS, Ms. STABE, and Mr. RYAN) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, insert the following:

Subtitle J—SAVE Benefits Act

SEC. 1097. ONE-TIME SUPPLEMENTARY PAYMENT TO SOCIAL SECURITY BENEFICIARIES AND VETERANS.—

(a) ONE-TIME SUPPLEMENTARY PAYMENT TO SOCIAL SECURITY BENEFICIARIES AND VETERANS.—

(1) IN GENERAL.—Subject to paragraph (4)(C), the Secretary of the Treasury shall disburse a payment equal to the amount described in subsection (e) to each individual who, for any month during the 3-month period ending with the month which ends prior to the month that includes the date of the enactment of this Act, is entitled to a benefit payment described in clause (i), (ii), or (iii) of subparagraph (B), or is eligible for a SSI cash benefit described in subparagraph (C).

(b) BENEFIT PAYMENT DESCRIBED.—For purposes of subparagraph (A):

(i) TT&L II BENEFIT.—A benefit payment described in this clause is a monthly insurance benefit payment payable (without regard to section 202(b)(1) and 223(b) of the Social Security Act (42 U.S.C. 402(b)(1) and 423(b))) under—

(I) section 202(a) of such Act (42 U.S.C. 402(a));

(II) section 202(b) of such Act (42 U.S.C. 402(b));

(III) section 202(c) of such Act (42 U.S.C. 402(c));

(IV) section 202(d)(1)(B)(ii) of such Act (42 U.S.C. 402d(1)(B)(ii));

(V) section 202(e) of such Act (42 U.S.C. 402(e));

(VI) section 202(f) of such Act (42 U.S.C. 402(f));

(VII) section 202(g) of such Act (42 U.S.C. 402(g));

(VIII) section 202(h) of such Act (42 U.S.C. 402(h));

(IX) section 223(a) of such Act (42 U.S.C. 423a(a));

(X) section 227 of such Act (42 U.S.C. 427);

(XI) section 228 of such Act (42 U.S.C. 428).

(ii) RAILROAD RETIREMENT BENEFIT.—A benefit payment described in this clause is a monthly annuity or pension payment payable (without regard to section 223(b)(1) of the Railroad Retirement Act of 1974 (42 U.S.C. 423a(1))) under—

(I) section 223(a)(1) of such Act (42 U.S.C. 423a(1));

(II) section 2(c) of such Act (45 U.S.C. 231ca(c));

(III) section 2(d)(1)(i) of such Act (45 U.S.C. 231d(1)(i));

(IV) section 2(d)(1)(ii) of such Act (45 U.S.C. 231d(1)(ii));

(V) section 2(d)(1)(iii)(C) of such Act to an adult (45 U.S.C. 231d(1)(iii)(C));

(VI) section 2(d)(1)(iv) of such Act (45 U.S.C. 231d(1)(iv));

(VII) section 2(b)(2) of such Act (45 U.S.C. 231b(2));

(VIII) section 7(b)(2) of such Act (45 U.S.C. 231b(2)) with respect to any of the benefit payments described in clause (i) of this subparagraph.

(iii) VETERANS BENEFIT.—A benefit payment described in this clause is a compensation or pension payment payable (without regard to section 223(b)(1) of the Social Security Act (42 U.S.C. 423b(1))) under—

(I) section 1110, 1117, 1121, 1131, 1141, or 1151 of title 38, United States Code;
...information on eligibility for such payments;

(II) information on the timeframe in which such payments will be distributed; and

(III) in other relevant information.

(C) DEADLINE.—No payments shall be disbursed under this section after September 30, 2017, regardless of any determinations of entitlements, eligibility, or eligibility for, such payments made after such date.

(b) IDENTIFICATION OF RECIPIENTS.—The Commissioner of Social Security, the Railroad Retirement Board, and the Secretary of Veterans Affairs shall certify the individuals entitled to receive payments under this section and provide the Office of the Secretary, with the information needed to disburse such payments. A certification of an individual shall be unaffected by any subsequent determination of the individual’s entitlement to, or eligibility for, a benefit specified in subparagraph (B) or (C) of subsection (a)(1), unless such determination or re-determination affects the individual’s entitlement under subsection (a) in the same manner as such section applies to a payment under such Act.

(c) TIMING AND MANNER OF PAYMENTS.—

(1) IN GENERAL.—In any case in which an individual is certified under subsection (a) to receive a payment under this section;

(A) the entire payment shall be used only for the individual’s entitlement to, or eligibility for, a benefit specified in subparagraph (B) or (C) of subsection (a)(1).

(B) NOTICE.—

(I) The Secretary of the Treasury shall commence disbursing payments under this section at the earliest practicable date but in no event later than 120 days after the date of enactment of this Act. The Secretary of the Treasury may disburse any payment electronically to an individual in such manner as the Secretary determines to be in the best interest of the taxpayer. The Secretary of the Treasury may disburse any payment electronically to an individual in such manner as the Secretary determines to be in the best interest of the taxpayer.

(ii) In any case in which an individual is certified under subsection (a)(1)(A) to receive a payment under this section, the Secretary of the Treasury shall provide written notice, sent by mail to each individual receiving a payment under this section, to each payee or fiduciary, the payment under subsection (a)(1) of that subsection is paid to a representative payee or fiduciary, the payment under subsection (a)(1)(A) of that subsection is paid to a representative payee or fiduciary, and the entire payment shall be used only for the benefit of the individual to whom such payment is paid. Such written notice shall include information on eligibility for such payments; information on the timeframe in which such payments will be distributed; and in other relevant information.

(iii) The provisions of the Social Security Act (42 U.S.C. 901 et seq.) in calendar year 2015, as determined by the Commissioner of Social Security, rounded to the nearest multiple of $1.

(2) APPROPRIATION.—Out of any sums in the Treasury of the United States not otherwise appropriated, the following sums are appropriated for the fiscal year ending September 30, 2016, to remain available until expended, to carry out this section:

(A) For the Secretary of the Treasury, such sums as may be necessary for administrative costs incurred in carrying out this section.

(B) For the Commissioner of Social Security, such sums as may be necessary for payments to individuals certified by the Commissioner of Social Security as entitled to receive a payment under this section.

(C) For the Railroad Retirement Board, such sums as may be necessary for payments to individuals certified by the Railroad Retirement Board as entitled to receive a payment under this section.

(D) For the Secretary of Veterans Affairs, such sums as may be necessary for payments to individuals certified by the Secretary of Veterans Affairs as entitled to receive a payment under this section.

(E) Any payments made under this section shall be considered as income for purposes of the Internal Revenue Code of 1986.

(3) PAYMENTS MADE TO PAYEES UNDER SUBSECTION (A)(1)(B) OF SECTION 1320A OF THE SOCIAL SECURITY ACT (42 U.S.C. 1320a–8) TO PAYMENTS MADE TO PAYEES UNDER SUBSECTION (A)(1)(B) OF SECTION 1320A OF THE SOCIAL SECURITY ACT (42 U.S.C. 1320a–8).

(4)(A) For the Secretary of the Treasury, such sums as may be necessary for payments to individuals certified by the Railroad Retirement Board as entitled to receive a payment under this section; and

(B) such sums as may be necessary for the Railroad Retirement Board’s Limitation on Administrative Expenses for costs incurred in carrying out this section.

(4)(A) For the Secretary of Veterans Affairs, such sums as may be necessary for payments to individuals certified by the Secretary of Veterans Affairs as entitled to receive a payment under this section.

(5) APPROPRIATION.—Out of any sums in the Treasury of the United States not otherwise appropriated, the following sums are appropriated for the fiscal year ending September 30, 2016, to remain available until expended, to carry out this section:

(A) For the Department of Veterans Affairs Compensation, Pension, and Data System Technology account for costs incurred in carrying out this section.

(5) APPROPRIATION.—Out of any sums in the Treasury of the United States not otherwise appropriated, the following sums are appropriated for the fiscal year ending September 30, 2016, to remain available until expended, to carry out this section:

(A) For the Department of Veterans Affairs Compensation, Pension, and Data System Technology account for costs incurred in carrying out this section.
(b) ELIGIBLE INDIVIDUAL.—

(1) IN GENERAL.—For purposes of this section, the term ‘eligible individual’ means any individual—

(A) the services of which during the fiscal year beginning in 2016 are required as a service performed in the employ of the United States or any State, or any instrumentality thereof, which is not considered employment for purposes of sections 310(a) and 311(a) of the Internal Revenue Code of 1986, and

(B) who is required to receive a payment under section 1097 during such fiscal year.

(2) IDENTIFICATION NUMBER REQUIREMENT.—

(A) IN GENERAL.—The term ‘eligible individual’ includes any individual who does not include on the return for the taxable year—

(i) such individual’s social security account number, and

(ii) in the case of a joint return, the social security account number of one of the taxpayers on such return.

(B) EXCLUSION OF TIN.—For purposes of subparagraph (A), the social security account number shall not include a TIN (as defined in section 7701(a)(11) of the Internal Revenue Code of 1986) held by the Internal Revenue Service. Any omission of a correct social security account number required under this paragraph shall be treated as a mathematical or clerical error for purposes of applying section 6213(c)(2) of such Code to such omission.

(c) TREATMENT OF CREDIT.—

(1) REFUNDABLE CREDIT.—

(A) IN GENERAL.—The credit allowed by subsection (a) shall be treated as allowed by subparagraph C of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986.

(B) APPROPRIATIONS.—For purposes of section 1224(b)(2) of title 31, United States Code, the credit allowed by subsection (a) shall be treated in the same manner as a refund from the credit allowed under section 36A of the Internal Revenue Code of 1986.

(2) DEFICIENCY RULES.—For purposes of applying section 6211(b)(4)(A) of the Internal Revenue Code of 1986, the credit allowable by subsection (a) shall be treated in the same manner as the credits listed in subparagraph (A) of section 6211(b)(4).

(3) REFUNDS DISREGARDED IN THE ADMINISTRATION OF FEDERAL PROGRAMS AND FEDERALLY FINANCED PROJECTS.—Any credit to any credit fund allowed or made to any individual by reason of this section shall not be taken into account in any manner that is not treated under that section as a reduction into account as resources for the month of receipt and the following 2 months, for purposes of determining the eligibility of such individual or any other individual for benefits or assistance, or the amount or extent of benefits or assistance, under any Federal program or under any State or local program financed in whole or in part with Federal funds.

(b) Section 162(m)(5) of such Code is amended—

(i) by striking ‘‘subparagraphs (B), (C), and (D) thereof’’ in subparagraph (D) and inserting ‘‘subparagraphs (B) and (E)’’;

(ii) by striking ‘‘subparagraphs (F) and (G)’’ in subparagraph (G) and inserting ‘‘subparagraphs (D) and (E)’’;
SA 4508. Mr. BROWN (for himself and Ms. WARNEN) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1097. MAXIMUM RATE OF INTEREST ON DEBTS INCURRED BEFORE MILITARY SERVICE.

Section 207 of the Servicemembers Civil Relief Act (50 U.S.C. 3937) is amended—

(1) in subsection (a)(1)(A), by inserting "student loan," after "nature of a mortgage"; and

(2) in subsection (d), by adding at the end the following:

"(3) STUDENT LOAN.—The term 'student loan' means—

"(A) a Federal student loan made, insured, or guaranteed under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.);

"(B) a student loan made pursuant to title VII or VIII of the Public Health Service Act (42 U.S.C. 292 et seq. and 296 et seq.); or

"(C) a loan on loan, as defined in section 1305(a) of the Truth in Lending Act (15 U.S.C. 1650(a))."

SA 4509. Mr. NELSON (for himself, Mr. GARDNER, Mr. BENNET, Mr. SHELY, and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike sections 1036 and 1037 and insert the following:

SEC. 1036. COMPETITIVE PROCUREMENT AND PHASE OUT OF ROCKETS ENGAGED FROM THE RUSSIAN FEDERATION IN THE EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM FOR SPACE LAUNCH OF NATIONAL SECURITY SATELLITES.

(a) In General.—Any competition for a contract for the provision of launch services for the evolved expendable launch vehicle program shall be open for award to all certified providers of evolved expendable launch-vehicle-class systems.

(b) AWARD OF CONTRACTS.—In awarding a contract under subsection (a), the Secretary of Defense—

(1) subject to paragraph (2), shall award the contract to the provider of launch services that offers the best value to the Federal Government; and

(2) notwithstanding any other provision of law, may, during the period beginning on the date of the enactment of this Act and ending on December 31, 2017, award the contract to a provider of launch services that intends to use any certified launch vehicle in its inventory without regard to the country of origin of the rocket engine that will be used on that launch vehicle, in order to ensure robust competition and continued assured access to space.

SA 4510. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 1097. MANAGEMENT OF CERTAIN LITIGATION ON BEHALF OF INDEMNIFIED PRIVATE CONTRACTORS.

(a) In General.—In cases where litigation between an indemnified Department of Defense contractor and a member of the Armed Forces exceeds a period of two years without final judgement or settlement, and where the contractor is entitled to a contractual right to take charge of the litigation on behalf of the contractor, the Department shall exercise that right. In doing so, the Department shall ensure the fiscal burden on taxpayers is minimized by avoiding lengthy and expensive litigation, while simultaneously resolving the claim in a way that meets the Department's obligations to the Armed Forces and their families in a fair and timely manner.

(b) INDEMNIFIED DEPARTMENT OF DEFENSE CONTRACTOR DEFINED.—In this section, the term "injured Department of Defense contractor" means a contractor that has been indemnified by the Department of Defense against civil judgments or liability for injuries, sickness, or death of members of the Armed Forces related to their work with the contractor.

SA 4511. Mr. GRASSLEY (for himself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1097. IMPROVING MEDICAL REHABILITATION RESEARCH AT THE NATIONAL INSTITUTES OF HEALTH.

(a) In General.—Section 352 of the Public Health Service Act (42 U.S.C. 266g-4) is amended—

(1) in subsection (b), by striking "conduct and support" and inserting "conduct, support, and coordination";

(2) in subsection (c)(1)(C), by striking "of the Center" and inserting "within the Center";

(3) in subsection (d)—

(A) by striking paragraph (1) and inserting the following: "(1) The Director of the Center, in consultation with the Director of the Institute, the coordinating committee established under subsection (e), and the advisory board established under subsection (f), shall develop a comprehensive plan (referred to in this section as the 'Research Plan') for the conduct, support, and coordination of medical rehabilitation research.";

(B) in paragraph (2)—

(i) in subparagraph (A), by striking "and" and inserting a semicolon;

(ii) in subparagraph (B), by striking the period and inserting "; and";

(iii) by adding at the end the following: "(C) include goals and objectives for conducting, supporting, and coordinating medical rehabilitation research that are consistent with the purpose described in subsection (b).";

(C) by striking paragraph (4) and inserting the following:

"(4) The Director of the Center, in consultation with the Director of the Institute, the coordinating committee established under subsection (e), and the advisory board established under subsection (f), shall review and update the Research Plan periodically, as appropriate, or not less than every 5 years. Not later than 30 days after the Research Plan is so revised and updated, the Director of the Center shall transmit the revised and updated Research Plan to the President, the Committee on Health, Labor, and Pensions of the Senate, and the Committee on Energy and Commerce of the House of Representatives."; and

(D) by adding at the end the following: "the Director of the Center, in consultation with the Director of the Institute, shall, prior to revising and updating the Research Plan, prepare a report for the coordinating committee established under subsection (e) and the advisory board established under subsection (f) that describes and
analyze the progress during the preceding fiscal year in achieving the goals and objectives described in paragraph (2)(C) and includes expenditures for rehabilitation research, surgical rehabilitation centers, and the National Rehabilitation Information Center. The report shall include recommendations for revising and updating the Research Plan, and such initiatives as the Director of the Center and the Director of the Institute shall consult with the Director of NIH on after-the-fullest-Committee shall have been composed of: (i) The Director of the Division of Program Coordination, Planning, and Strategic Initiatives within the Office of the Director of NIH, and (ii) The Secretary shall, as appropriate, enter into agreements preventing duplication among such programs. (2) The Secretary shall, as appropriate, enter into interagency agreements relating to the coordination of medical rehabilitation research and related activities of the National Institutes of Health and other agencies of the Federal Government. (b) Requirements of Certain Agreements for Enhancing Coordination and Preventing Programs of Medical Rehabilitation Research.—Section 5 of the National Institutes of Health Amendments of 1990 (42 U.S.C. 285g–4) is amended— (1) in subsection (a), by striking “(a) In General.—”; and (2) by striking subsection (b). SA 4513. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows: At the end of subtitle C of title V, add the following: SEC. 1227. ASSESSMENT OF INADEQUACIES IN INTERNATIONAL MONITORING AND VERIFICATION WITH RESPECT TO IRAN’S NUCLEAR PROGRAM. (a) In General.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Secretary of State, the Director of National Intelligence, and the heads and other relevant officials of agencies with responsibilities under section 1078 or 1226, submit to Congress a joint assessment report detailing the extent of the international monitoring and verification system, including the extent to which such inadequacies relate to the findings and recommendations pertaining to verification shortcomings identified within: (1) the September 26, 2006, Government Accountability Office report entitled, “Nuclear Nonproliferation: IAEA Has Strengthened Its Safeguards and Nuclear Security Programs, but Weaknesses Need to Be Addressed”; (2) the May 16, 2013, Government Accountability Office report entitled, “IAEA Has Made Progress in Implementing Critical Programs but Continues to Face Challenges”; (3) the Defense Science Board Study entitled, “Task Force on the Assessment of Nuclear Treaty Monitoring and Verification Technologies”; (4) the report of the International Atomic Energy Agency (in this section referred to as the “IAEA”) entitled, “The Safeguards System of the International Atomic Energy Agency” and the IAEA Safeguards Statement for 2010; (5) the IAEA Safeguards Overview: Comprehensive Safeguards Agreements and Additional Protocols; (6) the IAEA Model Additional Protocol; (7) the IAEA February 2015 Director General Report to the Board of Governors; and (8) other related reports on Iranian safeguards challenges. (b) Recommendations.—The joint assessment report required by subsection (a) shall include recommendations based upon the reports referenced in that subsection, including recommendations to overcome inadequacies or develop an improved monitoring framework and recommendations related to the following matters: (1) The nuclear program of Iran. (2) Development of a plan for— (A) the long-term operation and funding of increased activities of the IAEA and relevant agencies in order to maintain the necessary level of oversight with respect to Iran’s nuclear program; (B) resolving all issues of past and present concern with the IAEA, including possible military dimensions of Iran’s nuclear program; and (C) giving IAEA inspectors access to personnel, documents, and facilities involved, at any point, with nuclear or nuclear weapons-related activities; (3) A potential national strategy and implementation plan supported by a planning and assessment team aimed at cutting across agency boundaries or limitations that affect the ability to draw conclusions, with absolute assurance, about whether Iran is developing a clandestine nuclear weapons program. (4) The limitations of IAEA actors. (5) Challenges in the region that may be too complicated to anticipate treaties or agreements or the national technical means monitoring regimes alone. (6) Continuation of sanctions with respect to the Government of Iran and Iranian persons and Iran’s proxies for— (A) ongoing abuses of human rights; (B) actions in support of the regime of Bashar al-Assad in Syria; (C) procurement, sale, or transfer of technology, services, or goods that support the development or acquisition of weapons of mass destruction or the means of delivery of those weapons; and (D) continuing sponsorship of international terrorism. (c) Form of Report.—The joint assessment report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex. (d) Presidential Certification.—Not later than 60 days after the joint assessment report is submitted under subsection (a), the President shall certify that the President has reviewed the report, including the recommendations contained therein, and has taken available actions to address existing and potential gaps within the monitoring and verification framework, including identified potential funding needs to address necessary requirements. SA 4515. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows: At the end of subtitle I of title X, add the following: SEC. 1097. TERMINATION OF LAWFUL PERMANENT RESIDENCE UPON UNAUTHORIZED RETURN TO AFGHANISTAN. (a) In general.—The Secretary of Homeland Security shall terminate the lawful permanent resident status of any alien who returned to Afghanistan without advance permission. (b) Definitions.—Section 101(a)(15)(C)(i) of the Act (8 U.S.C. 1101) is amended by— (1) by redesignating paragraphs (10) through (16) as paragraphs (11) through (17), respectively; (2) by inserting after paragraph (9), the following: "(10) TERMINATION OF LAWFUL PERMANENT RESIDENCE UPON UNAUTHORIZED RETURN TO AFGHANISTAN.— "(A) In general.—The Secretary of Homeland Security shall terminate the lawful permanent resident status of any alien granted such status under paragraph (9) who is outside the United States if the Secretary determines that the alien has visited Afghanistan without obtaining advance permission to travel pursuant to subparagraph (D)(ii). "(B) Service.—The termination of lawful permanent resident status under subparagraph (A) shall be effective on the date that is 3 days after the date on which the Secretary serves notice of such termination— "(i) by publishing such notice in the Federal Register; and "(ii) by mailing such notice to the alien’s most recent United States address, as provided to the Secretary under section 265 of
the Immigration and Nationality Act (8 U.S.C. 1365) or otherwise under the immigration laws; or
“(iii) through personal service on the alien abroad in accordance with applicable law.
“(C) CHALLENGE TO NOTICE OF TERMINATION.—
“(i) IN GENERAL.—An alien whose status is terminated by paragraph (A) may challenge such termination by seeking admission as an immigrant at a designated United States port of entry not later than 180 days after the effective date of such termination.
“(ii) REMOVAL PROCEEDING.—If an alien challenges a termination in accordance with clause (i), the Secretary shall place the alien in a removal proceeding under section 240 of the Immigration and Nationality Act (8 U.S.C. 1229a). For the purpose of such removal proceeding, the alien shall be considered to be an alien lawfully admitted for permanent residence who is seeking an admission into the United States. If the alien prevails in the removal proceeding, or on a petition for review of such proceeding under section 242 of such Act (8 U.S.C. 1252), the alien shall be admitted to the United States for lawful permanent residence. If the alien does not prevail in the removal proceeding, or on a petition for review of such proceeding, the alien shall be removed from the United States.
“(D) TRAVEL.—The Secretary of Homeland Security—
“(i) upon receiving a request from an alien challenging a notice of termination under subparagraph (C), shall authorize travel of the alien to a designated United States port of entry for the purpose of the removal proceeding described in subparagraph (C)(ii); and
“(ii) shall establish a process through which an alien granted lawful permanent residence may apply in accordance with subsection (b) to travel abroad in accordance with applicable law.
“(E) JUDICIAL REVIEW.—Except as specifically provided under subparagraph (C), and notwithstanding any other provision of law (statutory or nonstatutory), including section 2241 of title 28, United States Code, or any other corpus juris provision, and sections 1361 and 1651 of such title, no court shall have jurisdiction to review any determination made by the Secretary under this paragraph.
“(F) RULE OF CONSTRUCTION.—Nothing in this paragraph may be construed—
“(i) to authorize any alien whose status has not been terminated under this paragraph to travel to or be admitted to the United States;
“(ii) to require the Secretary to terminate the status of an alien under this subsection so that the alien may travel to the United States for the purpose of a removal proceeding or for any other reason; or
“(iii) to limit the applicability of any no-fly list or other travel security or public health measure otherwise authorized by law.

SA 4516. Mr. BURR (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows: Strike section 945.

SA 4517. Mr. BURR (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows: Strike section 945.

SA 4518. Mr. BURR (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows: Strike section 973.

SA 4519. Mr. BURR (for himself, Mrs. FEINSTEIN, and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows: Strike section 1099.

SA 4520. Mr. BURR (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows: Strike section 1052.

SA 4521. Mr. BURR (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows: Strike section 1606.

SA 4522. Mr. BURR (for himself, Mrs. FEINSTEIN, and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows: Strike section 1633 and insert the following:

SEC. 1633. PROCESS FOR ENDING OF ARRANGEMENT IN WHICH THE COMMANDER OF THE UNITED STATES CYBER COMMAND IS THE DEPUTY DIRECTOR OF THE NATIONAL SECURITY AGENCY.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—
“(1) the ending of the arrangement (commonly referred to as a “dual-hat arrangement”) under which the Commander of the United States Cyber Command also serves as the Director of the National Security Agency needs to be carefully considered and done through conditions-based criteria; and
“(2) until such arrangement is ended, it is important to ensure such arrangement does not impede the Director’s service of national requirements.

(b) PROCESSES FOR ENDING OF CURRENT ARRANGEMENT.—The Secretary of Defense may not take action to end the arrangement described in subsection (a) until—
“(1) the Secretary and the Chairman of the Joint Chiefs of Staff jointly determine and certify to the appropriate committees of Congress that the end of that arrangement will not pose risks to the military effectiveness of the United States Cyber Command that are unacceptable in the national security interests of the United States; or
“(2) the Director of National Intelligence determines and certifies to the appropriate committees of Congress that the continuation of that arrangement poses risks and impedes the appropriate prioritization of national requirements.

(c) CONDITIONS-BASED CRITERIA.—The Secretary of Defense, the Chairman of the Joint Chiefs of Staff, and the Director of National Intelligence shall determine and certify to the appropriate committees of Congress that—
“(1) the sufficiency of operational infrastructure;
“(2) the sufficiency of command and control systems and processes for planning, deconflicting, and executing military cyber operations, tools and weapons for achieving required effects.
“(3) technical intelligence collection and operational preparation of the environment capabilities;
“(4) the ability to train personnel, test capabilities, and reauthorize missions.
“(5) the ability to meet national intelligence requirements.
“(6) the ability to correctly and impartially conduct intelligence gain and loss assessments in scenarios with competing requirements.

(d) REPORTS.—Not later than 90 days of the date of the enactment of this Act and annually thereafter until a certification is made in accordance with subsection (c), the Secretary of Defense and the Chairman of the Joint Chiefs of Staff shall submit
to the appropriate committees of Congress a report that describes which of the conditions set out under subsection (c) have not been met; and

(2) the Director of National Intelligence shall submit to the appropriate committees of Congress an assessment of the Director’s continuing ability to meet national intelligence requirements and appropriately conduct intelligence gain and loss assessments in scenarios with competing requirements.

(e) **APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—** The term ‘‘appropriate committees of Congress’’ means—

(1) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

SA 4523. Mr. BURR (for himself, Mrs. FEINSTEIN, and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 1207, line 13, strike ‘‘LIMITATION ON’’ and insert ‘‘PROCESS FOR’’.

On page 1207, line 18, insert ‘‘ending of the’’ after ‘‘that’’.

On page 1207, beginning on line 21, strike ‘‘is in the national security interests of the United States.’’ and insert ‘‘needs to be carefully done through conditions-based criteria and, until such arrangement is ended, it is important to ensure such arrangement does not impede the Director’s service of national intelligence requirements.’’.

On page 1207, line 23, strike ‘‘LIMITATION ON’’ and insert ‘‘PROCESS FOR’’.

On page 1207, line 25, strike ‘‘until’’ and insert ‘‘after’’.

Beginning on page 1207, line 25, strike ‘‘the Secretary’’ and all that follows through page 1208, line 6, and insert the following:

(1) the Secretary and the Chairman of the Joint Chiefs of Staff jointly determine and certify to the appropriate committees of Congress that the end of that arrangement will not pose risks to the military effectiveness of the United States Cyber Command that are unacceptable in the national security interests of the United States; or

(2) the Director of National Intelligence determines and certifies to the appropriate committees of Congress that the continuation of that arrangement poses risks and impedes the appropriate prioritization of national intelligence requirements.

On page 1208, beginning on line 7, strike ‘‘Secretary and the Chairman’’ and insert ‘‘Secretary of Defense, the Chairman of the Joint Chiefs of Staff, and the Director of National Intelligence’’.

On page 1209, strike lines 3 through 12, and insert the following:

(5) The ability to meet national intelligence requirements;

(6) The ability to correctly and impartially conduct intelligence gain and loss assessments in scenarios with competing requirements;

(7) Reports.—Not later than 90 days of the date of the enactment of this Act and annually thereafter until a certification is made in accordance with subsection (b)—

(1) the Secretary of Defense and the Chairman of the Joint Chiefs of Staff shall submit to the appropriate committees of Congress a report that describes which of the conditions set out under subsection (c) have not been met; and

(2) the Director of National Intelligence shall submit to the appropriate committees of Congress an assessment of the Director’s continuing ability to meet national intelligence requirements and appropriately conduct intelligence gain and loss assessments in scenarios with competing requirements.

(e) **DEFINITIONS.—** In this section:

(1) **APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—** The term ‘‘appropriate committees of Congress’’ means—

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

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

(2) **NATIONAL INTELLIGENCE.—** The term ‘‘national intelligence’’ has the meaning given that term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

SA 4524. Mr. BURR (for himself, Mrs. FEINSTEIN, and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1630 and insert the following:

**SEC. 1633. PROCESS FOR ENDING OF ARRANGEMENT IN WHICH THE COMMANDER OF THE UNITED STATES CYBER COMMAND IS ALSO DIRECTOR OF THE NATIONAL SECURITY AGENCY.**

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

(1) the ending of the arrangement (commonly referred to as a ‘‘dual-hat arrangement’’) under which the Commander of the United States Cyber Command also serves as the Director of the National Security Agency needs to be carefully considered and done through conditions-based criteria; and

(2) until such arrangement is ended, it is important to ensure such arrangement does not impede the Director’s service of national intelligence requirements.

(b) **PROCESSES FOR ENDING OF CURRENT ARRANGEMENT.**—The Secretary of Defense may not take action to end the arrangement described in subsection (a) unless—

(1) the Secretary and the Chairman of the Joint Chiefs of Staff jointly determine and certify to the appropriate committees of Congress that the end of that arrangement will not pose risks to the military effectiveness of the United States Cyber Command that are unacceptable in the national security interests of the United States; or

(2) the Director of National Intelligence determines and certifies to the appropriate committees of Congress that the continuation of that arrangement poses risks and impedes the appropriate prioritization of national intelligence requirements.

(c) **CONDITIONS-BASED CRITERIA.—** The Secretary of Defense, the Chairman of the Joint Chiefs of Staff, and the Director of National Intelligence shall develop criteria for assessing the military and intelligence necessity and benefit of the arrangement described in subsection (a). The criteria shall be based on measures of the operational dependence of the United States Cyber Command on the National Security Agency and the ability of each organization to accomplish their roles and responsibilities independent of the other. These conditions to be evaluated shall include the following:

(1) The sufficiency of operational infrastructure;

(2) The sufficiency of command and control systems and processes for planning, deconflicting, and executing military cyber operations, tools and weapons for achieving required effects;

(3) Technical intelligence collection and operational preparation of the environment capabilities.

(4) The ability to train personnel, test capabilities, and rehearse missions.

(5) The ability to meet national intelligence requirements.

(6) The ability to correctly and impartially conduct intelligence gain and loss assessments in scenarios with competing requirements.

(d) **REPORTS.—Not later than 90 days of the date of the enactment of this Act and annually thereafter until a certification is made in accordance with subsection (a), the Secretary of Defense and the Chairman of the Joint Chiefs of Staff shall submit to the appropriate committees of Congress a report that describes which of the conditions set out under subsection (c) have not been met; and

(2) the Director of National Intelligence shall submit to the appropriate committees of Congress an assessment of the Director’s continuing ability to meet national intelligence requirements and appropriately conduct intelligence gain and loss assessments in scenarios with competing requirements.

(e) **DEFINITIONS.—** In this section:

(1) **APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—** The term ‘‘appropriate committees of Congress’’ means—

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

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

(2) **NATIONAL INTELLIGENCE.—** The term ‘‘national intelligence’’ has the meaning given that term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

SA 4525. Mr. BURR (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 1202, line 4, strike ‘‘committees’’ and insert ‘‘committees, the Select Committee on Intelligence of the Senate, the Permanent Select Committee on Intelligence of the House of Representatives’’.

SA 4526. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction,
and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 829K. PREFERENCE FOR POTENTIAL DEFENSE CONTRACTORS THAT CARRY OUT CERTAIN STEM-RELATED ACTIVITIES.

In evaluating offers submitted in response to a solicitation for contracts, the Secretary of Defense shall provide a preference to any offeror that—

(1) establishes or enhances undergraduate, graduate, and doctoral programs in science, technology, engineering, and mathematics (in this section referred to as “STEM” disciplines);

(2) makes investments, such as programming and curriculum development, in STEM programs within elementary and secondary schools, including those that support the needs of military children;

(3) encourages employees to volunteer in schools eligible for assistance under part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 617 et seq.) in order to enhance STEM education and programs;

(4) makes personnel available to advise and assist schools and universities in the performance of STEM research and disciplines critical to the functions of the Department of Defense;

(5) enters into partnerships between the offeror and historically Black colleges and universities (HBCUs) and other minority-serving institutions for the purpose of training students in STEM disciplines; and

(6) awards scholarships and fellowships, and establishes cooperative work-education programs in scientific disciplines;

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

SEC. 554. REPORTS ON INCIDENTS OF SEXUAL ASSAULT MADE BY MEMBERS OF THE ARMED FORCES.

(a) SCOPE OF PROGRAM.—Subsection (a) of section 2015 of title 10, United States Code, is amended by striking “incident to the performance of their military duties”.

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

(1) in paragraph (1), by striking “under subsection (a) is accredited by” and all that follows and inserting “under subsection (a)—

(i) the provider of such credentialing program meets the requirements in this paragraph; or

(ii) a certificate of completion of a registered apprenticeship; or

(iii) a license recognized by a State or the Federal Government; or

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

“(A) Treatment at Election of Members.— Under procedures established by the Secretary of Veterans Affairs, a report on an incident of sexual assault made by a member of the Armed Forces while undergoing a Separation History and Physical Examination to such health care personnel of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 545. REPORTS ON INCIDENTS OF SEXUAL ASSAULT MADE BY MEMBERS OF THE ARMED FORCES TO HEALTH CARE PERSONNEL OF THE DEPARTMENT OF VETERANS AFFAIRS TREATABLE AS DEPARTMENT OF DEFENSE REPORTS.

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

(b) TRANSMITTAL TO DEPARTMENT OF DEFENSE.—The report referred to in paragraph (a) shall be transmitted by the Secretary of Veterans Affairs to the Secretary of Defense, a report on an incident of sexual assault treated as a Restricted Report on the incident for Department of Defense purposes.

(c) REGULATIONS.—Subsection (d) of such section is amended—

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

(2) by inserting after subparagraph (C) the following new subparagraph (D):

“(D) With respect to the provision of credentials under this section that are accepted or preferred by employers within an industry or sector, mechanisms to verify that—

(i) such credentials are in fact required or preferred for such employment (or advancement in such employment); and

(ii) the provider of such credentialing programs meet quality assurance criteria as the Secretary, in consultation with the Secretary of Labor, considers appropriate necessary to safeguard the integrity of the credentialing program and provide effective stewardship of Federal resources.”.

SA 4529. Mrs. MURRAY (for herself and Mr. KAINE) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1 and insert the following:

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

(a) SCOPE OF PROGRAM.—Subsection (a)(1) of section 2015 of title 10, United States Code, is amended by striking “incident to the performance of their military duties”.

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

(1) in paragraph (1), by striking “under subsection (a) is accredited by” and all that follows and inserting “under subsection (a)—

(i) such credentials are in fact required or preferred by employers within an industry or sector, or where appropriate, a credential endorsed by a nationally recognized trade association or organization representing a significant part of the industry or sector; or

(ii) the provider of such credentialing program meets the requirements in this paragraph; or

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

“(A) A credentialing program meets the requirements in this paragraph if—

(1) such credentials are in fact required or preferred for such employment (or advancement in such employment); and

(2) the provider of such credentialing programs meet quality assurance criteria as the Secretary, in consultation with the Secretary of Labor, considers appropriate necessary to safeguard the integrity of the credentialing program and provide effective stewardship of Federal resources.”.

SA 4530. Mrs. GILLIBRAND (for herself and Mr. DAVIS) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department
of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1097. CLARIFICATION OF PRESUMPTIONS OF EXPOSURE FOR VETERANS WHO SERVED IN VICINITY OF REPUBLIC OF VIETNAM.

(a) COMPENSATION.—Subsections (a)(1) and (f) of section 1116 of title 38, United States Code, are amended—

(1) by amending the term ‘‘the Republic of Vietnam’’ to read ‘‘the Republic of Vietnam or the Republic of South Vietnam’’; and

(2) by striking subsection (b) and inserting in its place—

‘‘(b) TEMPORARY H-1B VISA FEE INCREASE.—

Not later than 90 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall, at amounts specified in paragraphs (1) and (2) of section 281 of the Immigration and Nationality Act, prescribe a fee of $2,000 for petitions made by subsection (a)(15)(L) of section 101(a)(15) of the Immigration and Nationality Act, except for an amended petition without an extension of stay request, shall be increased by $4,000 for petitions made by subsection (a)(15)(L) of section 101(a)(15) of such Act.’’;

(b) E HALTH CARE.—Section 1710(e)(4) of such title is amended by inserting ‘‘including its territorial seas’’ after ‘‘served in the Republic of Vietnam’’ each place such phrase appears.

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect as if enacted on September 25, 1985.

SEC. 1098. TEMPORARY VISA FEE FOR EMPLOYERS WITH MORE THAN 50 PERCENT FOREIGN WORKFORCE.

(a) IN GENERAL.—Section 411 of the Air Transportation Safety and System Stabilization Act (40 U.S.C. 40101 note), as added by section 302(g) of the James Zadroga 9/11 Victim Compensation Fund Reauthorization Act (title IV of division O of Public Law 114-113), is amended—

(1) by amending the section heading to read as follows: ‘‘TEMPORARY VISA FEE FOR EMPLOYERS WITH MORE THAN 50 PERCENT FOREIGN WORKFORCE’’; and

(2) by striking subsections (a) and (b) and inserting the following:

‘‘(a) TEMPORARY H-1B VISA FEE INCREASE.—

Notwithstanding section 281 of the Immigration and Nationality Act (8 U.S.C. 1351) or any other provision of law, the filing fee required to be submitted with a petition filed under section 101(a)(15)(L) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(L)), except for an amended petition without an extension of stay request, shall be increased by $4,500 for petitions that employ 50 or more employees in the United States if more than 50 percent of the petitioner’s employees are nonimmigrants described in subparagraph (H)(1)(b) or (L) of section 101(a)(15) of such Act. This fee shall also apply to any petition described in this subsection who file an individual petition on the basis of an approved blanket petition.

‘‘(b) TEMPORARY H-1B VISA FEE INCREASE.—

Notwithstanding section 281 of the Immigration and Nationality Act (8 U.S.C. 1351) or any other provision of law, the filing fee required to be submitted with a petition under section 101(a)(15)(L) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(L)), except for an amended petition without an extension of stay request, shall be increased by $4,000 for petitions that employ 50 or more employees in the United States if more than 50 percent of the petitioner’s employees are nonimmigrants described in subparagraph (H)(1)(b) or (L) of section 101(a)(15) of such Act.’’;

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect as follows:

(1) the term ‘‘data asset’’ means a collection of data elements or data sets that may be grouped together;

(2) ‘‘data’’ means recorded information, regardless of form or the media on which the data is recorded;

(3) ‘‘the term ‘data asset’ means a collection of data elements or data sets that may be grouped together;”;

At the end of title X, add the following:

Subtitle J—Open Government Data

SEC. 1099. SHORT TITLE.

(a) SHORT TITLE.—This subtitle may be cited as the ‘‘Open, Public, Electronic, and Necessary Government Data Act’’ or the ‘‘OPEN Government Data Act’’.

SEC. 1098. FINDINGS; AGENCY DEFINED.

(a) FINDINGS.—Congress finds the following:

(1) Federal Government data is a valuable national resource. Managing Federal Government data to make it open, discoverable, and usable to the general public, journalists, academics, and advocates promotes efficiency and effectiveness in Government, creates economic opportunities, promotes scientific discovery, and most importantly, strengthens our democracy.

(2) Maximizing the usefulness of Federal Government data that is appropriate for release rests upon making it readily available, discoverable, and usable—in a word: open. Information presumptively should be available to the general public unless the Federal Government reasonably foresees that disclosure could harm a specific, articulable interest protected by law or the Federal Government is otherwise expressly prohibited from releasing such data due to statutory requirements.

(3) The Federal Government has the responsibility to be transparent and accountable to its citizens.

(b) DATA DEFINED.—Data controlled, collected, or created by the Federal Government should be originated, transmitted, and published in modern, open, and electronic format, to be as readily accessible as possible consistent with data standards imbued with authority under this subtitle and to the extent permitted by law.

(c) Inventory.—The effort to inventory Government data will have additional benefits, including identifying opportunities within agencies to reduce waste, increase efficiencies, and save taxpayer dollars. As such, this effort should involve many types of data, including data generated by applications, devices, networks, and equipment, which can be harnessed to improve operations, lower energy consumption, reduce costs, and strengthen security.

(d) Communication, commerce, and data transcend national borders. Global access to Government Information will advance our Information Technology sector promoting innovation, scientific discovery, entrepreneurship, education, and the general welfare.

SEC. 1099. RULE OF CONSTRUCTION.

Nothing in this subtitle, or the amendments made by this subtitle, shall be construed to require the disclosure of information that records that are exempt from public disclosure under section 552 of title 5, United States Code (commonly known as the ‘‘Freedom of Information Act’’).

SEC. 1099A. FEDERAL INFORMATION POLICY DEFINITIONS.

Section 552 of title 44, United States Code, is amended—

(1) in paragraph (3), by striking ‘‘and’’ at the end and inserting a semicolon;

(2) in paragraph (14), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

‘‘(15) the term ‘data’ means recorded information, regardless of form or the media on which the data is recorded;

(f) the term ‘data asset’ means a collection of data elements or data sets that may be grouped together;”;

At the end of title X, add the following:

Subtitle J—Open Government Data

SEC. 1097. IMPLEMENTATION OF OUTSTANDING TRANSPORTATION SECURITY REQUIREMENTS.

Not later than 180 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall, at a minimum, complete the following:

(1) A review of all Department of Defense reports that have been published since September 2009 that addresses the solid rocket motor (SRM) industrial base for tactical missiles, and update the SRM industrial base, together with the analyses underlying such reports.

(2) An examination of the factors the Department uses in awarding SRM contracts and that Department of Defense contractors use in awarding SRM subcontracts, including cost, schedule, technical qualifications, supply chain diversification, past performance, and other evaluation factors, such as meeting offset obligations under foreign military sales agreements.

(3) An assessment of the foreign-built portion of the United States SRM market and of the effectiveness of actions taken by the Department to address the declining state of the United States tactical SRM industrial base.

SEC. 1094. IMPLEMENTATION OF OUTSTANDING TRANSPORTATION SECURITY REQUIREMENTS.

(a) IN GENERAL.—Section 131(b) of the Surface Transportation Security Act of 2007 (49 U.S.C. 13000(b)) is amended—

(1) in subsection (b)(1), by striking the period at the end and inserting a semicolon; and

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

(3) by adding at the end the following:

‘‘(b) TEMPORARY H-1B VISA FEE INCREASE.—

Notwithstanding section 281 of the Immigration and Nationality Act (8 U.S.C. 1351) or any other provision of law, the filing fee required to be submitted with a petition under section 101(a)(15)(L) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(L)), except for an amended petition without an extension of stay request, shall be increased by $4,000 for petitions that employ 50 or more employees in the United States if more than 50 percent of the petitioner’s employees are nonimmigrants described in subparagraph (H)(1)(b) or (L) of section 101(a)(15) of such Act. This fee shall also apply to any petition described in this subsection who file an individual petition on the basis of an approved blanket petition.

‘‘(b) TEMPORARY H-1B VISA FEE INCREASE.—

Notwithstanding section 281 of the Immigration and Nationality Act (8 U.S.C. 1351) or any other provision of law, the filing fee required to be submitted with a petition under section 101(a)(15)(L) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(L)), except for an amended petition without an extension of stay request, shall be increased by $4,000 for petitions that employ 50 or more employees in the United States if more than 50 percent of the petitioner’s employees are nonimmigrants described in subparagraph (H)(1)(b) or (L) of section 101(a)(15) of such Act.’’;

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect as follows:

(1) the term ‘‘data asset’’ means a collection of data elements or data sets that may be grouped together;
(17) the term ‘‘Enterprise Data Inventory’’ means the data inventory developed and maintained pursuant to section 3523;

(18) the term ‘‘machine-readable’’ means a format of information or data that can be easily processed by a computer without human intervention while ensuring no semantic meaning is lost;

(19) the term ‘‘nongovernmental organization’’ means a nonprofit or quasigovernmental organization, a private organization, or a private entity otherwise not regulated by law and other similar organizations.

SEC. 1099A. RESPONSIBILITIES OF THE ELECTRONIC GOVERNMENT.

(a) COORDINATION OF FEDERAL INFORMATION RESOURCES MANAGEMENT POLICY.—Section 3503 of title 44, United States Code, is amended by adding at the end the following:

``(c) COORDINATION OF FEDERAL INFORMATION RESOURCES MANAGEMENT POLICY.—The Federal Chief Information Officer shall work in coordination with the Administrator of the Office of Information and Regulatory Affairs and with the heads of other offices within the Office of Management and Budget to oversee and advise the Director on Federal information resources management policy.''

(b) AUTHORITY AND FUNCTIONS OF DIRECTOR.—Section 350(h) of title 44, United States Code, is amended——

(1) in paragraph (1), by inserting ‘‘the Federal Chief Information Officer’’ after ‘‘the Director of the National Institute of Standards and Technology’’;

(2) in paragraph (4)—

(A) in subparagraph (A), by striking ‘‘and’’ and inserting ‘‘and inserting a semicolon;’’ and

(B) by adding at the end the following:

‘‘(c) OVERVIEW OF THE ENTERPRISE DATA INVENTORY AND THE EXTENT TO WHICH THE AGENCY IS MAKING ALL DATA COLLECTED AND GENERATED AVAILABLE TO THE PUBLIC IN ACCORDANCE WITH SECTION 3522;’’;

(3) in paragraph (5), by striking the period at the end and inserting ‘‘;’’; and

(4) by adding at the end the following:

‘‘(d) COORDINATE THE DEVELOPMENT AND REVIEW OF FEDERAL INFORMATION RESOURCES MANAGEMENT POLICY BY THE ADMINISTRATOR OF THE OFFICE OF INFORMATION AND REGULATORY AFFAIRS AND THE FEDERAL CHIEF INFORMATION OFFICER.’’

(c) CHANGE OF NAME OF THE OFFICE OF ELECTRONIC GOVERNMENT.—

(1) DEFINITIONS.—Section 3601 of title 44, United States Code, is amended——

(A) by striking paragraph (1);

(B) by redesignating paragraphs (2) through (4) as paragraphs (1) through (3), respectively;

(C) by inserting after paragraph (3), as so redesignated, the following:

‘‘(4) ‘‘Federal Chief Information Officer’’ means the Federal Chief Information Officer of the Office of the Federal Chief Information Officer established under section 3602;’’;

(2) OFFICE OF THE FEDERAL CHIEF INFORMATION OFFICER.—Section 3601 of title 44, United States Code, is amended——

(A) in the heading, by striking ‘‘Electronic Government’’ and inserting ‘‘the Federal Chief Information Officer’’;

(B) in subsection (a), by striking ‘‘Office of Electronic Government’’ and inserting ‘‘Office of the Federal Chief Information Officer’’.

(19) the term ‘‘open data asset’’ means a data asset that is—

(A) machine-readable;

(B) available in an open format; and

(C) part of the worldwide public domain or, if necessary, published with an open license.

(20) the term ‘‘open license’’ means a legal guarantee applied to a data asset that is made available to the public that such data asset is made available without restriction to the public; and

(21) the term ‘‘public data asset’’ means a collection of data elements or a data set maintained by the Government that—

(A) may be released; or

(B) is released to the public in an open format and is discoverable through a search of a Data.gov.

SEC. 1099B. REQUIREMENT FOR MAKING OPEN AND MACHINE-READABLE THE DEFAULT FOR GOVERNMENT DATA.

(a) AMENDMENT.—Subchapter I of chapter 35 of title 44, United States Code, is amended by adding at the end the following:

``3522. Requirements for Government data

(a) MACHINE-READABLE DATA REQUIRED.—Government data assets made available by an agency shall be published as machine-readable data standards as may provide new opportunities for innovation in the public and private sectors in accordance with law and regulation.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for subchapter I of chapter 35 of title 44, United States Code, is amended by inserting after the item relating to section 3522 the following:

‘‘3522. Requirements for Government data.’’.

(c) EFFECTIVE DATE.—Notwithstanding section 1099c, the amendments made by subsections (a) and (b) shall take effect on the date that is 1 year after the date of enactment of this Act and shall apply with respect to any contract entered into by an agency on or after such effective date.

(d) USE OF OPEN DATA ASSETS.—Not later than 1 year after the date of enactment of this Act, the head of each agency shall ensure that any activities by the agency or any new contract entered into by the agency meet the requirements of section 3522 of title 44, United States Code, as added by subsection (a).

SEC. 1099C. RESPONSIBILITIES OF THE OFFICE OF ELECTRONIC GOVERNMENT.

(1) MACHINE-READABLE DATA REQUIRED.—

Government data assets made available by an agency shall be published as machine-readable data standards.

(2) OPEN BY DEFAULT.—When not otherwise prohibited by law, and to the extent practicable, Government data assets published by or for an agency shall be made available under an open license or, if not made available under an open license and appropriately released, shall be considered to be published as part of the worldwide public domain.

(3) INNOVATION.—Each agency may engage with nongovernmental organizations, citizens, nongovernmental organizations, colleges and universities, and public companies, and other agencies to explore opportunities to leverage the agency’s public data asset in a manner that may provide new opportunities for innovation in the public and private sectors in accordance with law and regulation.

(4) PROPOSALS TO ENCLOSE INNOVATIVE SOLUTIONS TO ENHANCE ELECTRONIC GOVERNMENT SERVICES AND PROCESSES.—Section 3605 of title 44, United States Code, is amended —

(A) in subsection (a), by striking ‘‘The Administrator’’ and inserting ‘‘the Federal Chief Information Officer’’;

(B) in paragraph (1), by striking ‘‘The Administrator’’ and inserting ‘‘the Federal Chief Information Officer’’;

(C) in paragraph (2), by striking ‘‘The Administrator’’ and inserting ‘‘the Federal Chief Information Officer’’;

(D) in paragraph (3), by striking ‘‘The Administrator’’ and inserting ‘‘the Federal Chief Information Officer’’.

(E) in subsection (c), by striking section 3602 and inserting the following:

3602. Office of the Federal Chief Information Officer.

(F) in subsection (e), by striking ‘‘The Administrator’’ and inserting ‘‘the Federal Chief Information Officer’’.

(G) in subsection (f), by striking ‘‘The Administrator’’ and inserting ‘‘the Federal Chief Information Officer’’.

(H) in subsection (g), by striking ‘‘The Office of Electronic Government’’ and inserting ‘‘the Office of the Federal Chief Information Officer’’.

(2) E-GOVERNMENT FUND.—Section 3604 of title 44, United States Code, is amended——

(A) in subsection (a), by striking ‘‘the Administrator of the Office of Electronic Government’’ and inserting ‘‘the Federal Chief Information Officer’’;

(B) in subsection (b), by striking ‘‘the Administrator’’ and inserting ‘‘the Federal Chief Information Officer’’;

(C) in subsection (c), by striking ‘‘the Administrator’’ and inserting ‘‘the Federal Chief Information Officer’’.

(3) CHIEF INFORMATION OFFICERS COUNCIL.—Section 3603 of title 44, United States Code, is amended——

(A) in subsection (b)(2), by striking ‘‘The Administrator of the Office of Electronic Government’’ and inserting ‘‘The Federal Chief Information Officer’’;

(B) in subsection (c)(1), by striking ‘‘The Administrator of the Office of Electronic Government’’ and inserting ‘‘The Federal Chief Information Officer’’;

(C) in subsection (f)(3), by striking ‘‘the Administrator’’ and inserting ‘‘the Federal Chief Information Officer’’.

(4) THE OFFICE OF THE FEDERAL CHIEF INFORMATION OFFICER.—The Office of the Federal Chief Information Officer shall—

(A) by redesignating paragraphs (2) through (6) as paragraphs (1) through (5), respectively;

(B) in subsection (b), by striking ‘‘the Administrator’’ and inserting ‘‘the Federal Chief Information Officer’’;

(C) in subsection (c), by striking ‘‘the Administrator’’ and inserting ‘‘the Federal Chief Information Officer’’.
(C) in paragraph (5), by striking the period at the end and inserting "; and"; and
(D) by adding at the end the following:
"(1) in subsection (b)—
(A) in paragraph (1)(C), by striking "security;" and inserting the following: "security by—"
(ii) using open format for any new Government data asset created or obtained on the date that is 1 year after the date of enactment of this clause; and
(iii) by striking "section 3601(4)" and inserting "section 3601(3)"."
(3) in subsection (d)—
(A) in paragraph (1), by striking "a description of whether the agency data asset publicly available in a manner that maintains a non-public portion of the provisions of the provisions amended or to require a new appointment by the President.

SEC. 1090D. DATA INVENTORY AND PLANNING.

(a) Enterprise Data Inventory.—

(1) Amendment.—Subchapter I of chapter 35 of title 44, United States Code, as amended by section 3503, is amended by adding after the end the following:

"1090D. DATA INVENTORY AND PLANNING.—

(a) Data Inventory and Planning.—Section 3503 of title 44, United States Code, is amended by striking "section 3601(4)" and inserting "section 3601(3)".

(C) in paragraph (2), by striking "Chief Information Officer of each agency shall—"
(i) to the extent practicable, complete the Enterprise Data Inventory for the agency not later than 1 year after the date of enactment of this section; and
(ii) to the extent practicable, encouraging the adoption of open form for all open Government data created or obtained before the date of enactment of this clause;"

(E) in paragraph (3), by striking "subchapter; and"; and inserting "subchapter and a review of each agency’s Enterprise Data Inventory described in section 3522;"

(C) in paragraph (5), by striking the period at the end and inserting "; and"; and
(D) by adding at the end the following:
"(3) in consultation with the Director, develop an open data plan as a part of the requirement for a strategic information resources management plan described in paragraph (2) that, at a minimum and to the extent practicable—"
"(A) requires the agency to develop processes and procedures that—"
(i) require each new data collection mechanism to use an open format; and
(ii) allow the agency to collaborate with other agencies to increase the availability of data assets; and
(iii) by striking "section 3601(4)" and inserting "section 3601(3)".

(2) Technical and Conforming Amendment.—The table of sections for subchapter I of chapter 35 of title 44, United States Code, as amended by section 5, is amended by inserting after the item relating to section 3522 the following:
"3523. Enterprise data inventory."

(b) Standards for Enterprise Data Inventory.—Section 3504(a)(1) of title 44, United States Code, is amended by adding at the end the following:

(1) in subsection (b)—
(A) in paragraph (1)(C), by striking "security;" and inserting the following: "security by—"
(ii) using open format for any new Government data asset created or obtained on the date that is 1 year after the date of enactment of this clause; and
(iii) by striking "section 3601(4)" and inserting "section 3601(3)".

(3) in subsection (d)—
(A) in the matter preceding paragraph (1), by striking "shall"; and
(B) in paragraph (1)—
(i) in the matter preceding subparagraph (A), by inserting "shall" before "ensure"; and
(ii) by adding at the end the following:
"(F) prohibits the dissemination and accidental disclosure of nonpublic data assets;"

(2) in subsection (c), by striking "With respect to" and inserting "Except as provided under subsection (j), with respect to";

(3) in subsection (d)—
(A) in the matter preceding paragraph (1), by striking "shall"; and
(B) in paragraph (1)—
(i) in the matter preceding subparagraph (A), by inserting "shall" before "ensure"; and
(ii) by adding at the end the following:
"(F) prohibits the dissemination and accidental disclosure of nonpublic data assets;"

(3) in paragraph (2), by striking "shall" before "regularly";

(3) in paragraph (3)—
(i) by inserting "shall" before "provide";

(ii) by striking "; and" and inserting a semicolon;

(E) in paragraph (4)—
(i) in the matter preceding subparagraph (A), by inserting "may" before "not"; and
(ii) by striking the end and inserting a semicolon; and

(F) by adding at the end the following:
“(5) shall take the necessary precautions to ensure that the agency maintains the production and publication of data assets which are directly related to activities that protect the safety of human life or property, as identified by the open data plan of the agency required by subsection (b)(6); and

(6) may engage the public in using open Government data and encourage collaboration by—

(A) publishing information on open Government data usage in regular, timely intervals, but not less than annually;

(B) receiving public input regarding priorities for the analysis and disclosure of data assets to be published;

(C) establishing civil society groups and members of the public working to expand the use of open Government data; and

(D) hosting challenges, competitions, events, or other initiatives designed to create additional value from open Government data.

and

(4) by adding at the end the following:—

(3) of subsection (b) of such section if—

(A) the waiver of those requirements is approved by the head of the agency;

(B) voluntary and there is no perceived or actual tangible benefit to the provider of the information;

(C) of an extremely low burden that is typically completed in 5 minutes or less; and

(D) focused on gathering input about the performance of, or public satisfaction with, an agency providing service;

(3) the agency publishes representative summaries of the collection of information under paragraph (1) and

(d) REPOSITORY.—The Director of the Office of Management and Budget shall collaborate with the Office of Government Information Services and the Administrator of General Services to develop and maintain an online repository of tools, best practices, and schema standards to facilitate the adoption of open data practices. The repository shall—

(1) include definitions, regulation and policy, checklists, and case studies related to open data; this subsection; and the amendments made by this subtitle; and

(2) facilitate collaboration and the adoption of best practices across the Federal Government relating to the adoption of open data practices.

(e) SYSTEMATIC AGENCY REVIEW OF OPERATIONS.—Section 305 of title 5, United States Code, is amended—

(1) in subsection (b), by adding at the end the following:—

“To the extent practicable, each agency shall use existing data to support such reviews if the data is accurate and complete.”;

(2) in subsection (c)—

(A) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(B) by inserting after paragraph (1) the following:

“(2) determining the status of achieving the mission, goals, and objectives of the agency as described in the strategic plan of the agency published pursuant to section 306c; and

(3) by adding at the end the following:—

“Open Data Compliance Report.—Not later than 1 year after the date of enactment of this Act, and every 2 years thereafter, the Director of the Office of Management and Budget shall electronically publish a report on agency performance and compliance with the Open, Public, Electronic, and Necessary Government Data Act and the amendments made by that Act.”;

(f) GAO REPORT.—Not later than 3 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives a report—

(1) the value of information made available to the public as a result of this subtitle and the amendments made by this subtitle;

(2) whether it is expanded the publicly available information to any other data assets;

(3) the completeness of the Enterprise Data Inventory, as required under section 3523 of title 44, United States Code, as added by this section.

SEC. 6. TECHNOLOGY PORTAL.

(a) AMENDMENT.—Subchapter I of chapter 35 of title 44, United States Code, is amended by inserting after section 3511 the following:—

3511A. Technology portal.

(a) DATA GOV REQUIRED.—The Administrator of General Services shall develop and maintain a single public interface online as a point of entry dedicated to sharing open Government data with the public.

(b) COORDINATION WITH AGENCIES.—The Director of the Office of Management and Budget shall determine, after consultation with the agency and the Administrator of General Services, the method to access any open Government data published through the interface described in subsection (a).

(c) TECHNICAL AND CONFORMING AMENDMENTS.—The table of sections for subsection 1 of chapter 35 of title 44, United States Code, as amended by this subtitle, is amended by inserting after the item relating to section 3511 the following:—

3511A. Technology portal.

(d) DEADLINE.—Not later than 180 days after the date of enactment of this Act, the Chief Operating Officer of each agency shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Oversight and Government Reform of the House of Representatives, and the Director of the Office of Management and Budget a report on the review described in subsection (b).”.

(e) REQUIREMENTS OF AGENCY REVIEW.—The report required under paragraph (3) shall assess the coverage, quality, methods, effectiveness, and independence of the agency’s evaluation research and analysis efforts, including each of the following:

(1) A list of the activities and operations of the agency that are being evaluated and analyzed and the activities and operations that have been evaluated and analyzed during the previous 5 years.

(2) The extent to which the evaluations research and analysis efforts and related activities of the agency are appropriate to the needs of various divisions within the agency.

(3) The extent to which the evaluation research and analysis activities and related activities of the agency address an appropriate balance between needs related to organizational learning, ongoing program management, performance management, strategic management, interagency and private sector coordination, internal and external oversight, and accountability.

(4) The extent to which the agency uses methods and combinations of methods that are appropriate to agency divisions and the corresponding research questions being addressed, including the combination of formative and summative evaluation research and analysis approaches.

(5) The extent to which evaluation and research capacity is present within the agency to include personnel, agency process for planning and implementing evaluation approaches, and disseminating best practices and findings, and incorporating employee views and feedback.

(6) The extent to which the agency has the capacity to assist from staff and program offices to develop the capacity to use evaluation research and analysis approaches and data in the day-to-day operations.

SEC. 9. ENHANCED RESPONSIBILITIES FOR CHIEF INFORMATION OFFICERS AND CHIEF INFORMATION OFFICERS COUNCIL DUTIES.

(a) AGENCY CHIEF INFORMATION OFFICER GENERAL RESPONSIBILITIES.—

(1) GENERAL RESPONSIBILITIES.—Section 1135(b)(3) of title 44, United States Code, is amended—

(A) in paragraph (2), by striking “; and” and inserting a semicolon;

(B) in paragraph (3), by striking the period at the end and semicolon; and

(C) by adding at the end the following:

“(4) data asset management, format standardization, sharing of data assets, and publication of data reports;

“(5) the compilation and publication of the Enterprise Data Inventory for the agency required under section 3523 of title 44; and

“(6) ensuring that open data conforms with open data best practices;

“(7) ensuring compliance with the requirements of subsections (b), (c), (d), and (f) of section 3506 of title 44; and

“(8) engaging agency employees, the public, and contractors in using open Government data and encourage collaborative approaches to improve data use;

“(9) supporting the agency Performance Improvement Officer in generating data to support the function of the Performance Improvement Officer, as described in section 1214(a)(2) of title 31;

“(10) reviewing the information technology infrastructure of the agency and the impact of such infrastructure on making data assets available and accessible to reduce barriers that inhibit data asset accessibility;”.

(11) ensuring that, to the extent practicable, the agency is maximizing its own use of data, including data generated by applications, devices, networks, and equipment owned by the Government, this use is not otherwise prohibited, to reduce costs, improve operations, and strengthen security and privacy protections; and

(12) identifying contact for roles and responsibilities related to open data use and implementation as required by the Director of the Office of Management and Budget.’’. “

(b) AMENDMENT.—Section 3603(f) of title 44, United States Code, is amended by adding at the end the following:

“(8) Provide technical assistance to agencies in the development of open Government data standards and documentation for data sets, and establish the capacity of agencies to support the Open, Public, Electronic, and Necessary Government Data Act;”.

(c) GAO REVIEW OF AGENCY REPORTS.—Not later than 4 years after the date of enactment of this Act, the Chief Operating Officer of each agency shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives, the Director of the Office of Management and Budget a report on the review described in subsection (b).

(1) The reports required under this section shall assess the coverage, quality, methods, effectiveness, and independence of the agency’s evaluation research and analysis efforts, including each of the following:

(1) A list of the activities and operations of the agency that are being evaluated and analyzed and the activities and operations that have been evaluated and analyzed during the previous 5 years.

(2) The extent to which the evaluations research and analysis efforts and related activities of the agency are appropriate to the needs of various divisions within the agency.

(3) The extent to which the evaluation research and analysis activities and related activities of the agency address an appropriate balance between needs related to organizational learning, ongoing program management, performance management, strategic management, interagency and private sector coordination, internal and external oversight, and accountability.

(4) The extent to which the agency uses methods and combinations of methods that are appropriate to agency divisions and the corresponding research questions being addressed, including the combination of formative and summative evaluation research and analysis approaches.

(5) The extent to which evaluation and research capacity is present within the agency to include personnel, agency process for planning and implementing evaluation approaches, and disseminating best practices and findings, and incorporating employee views and feedback.

(6) The extent to which the agency has the capacity to assist from staff and program offices to develop the capacity to use evaluation research and analysis approaches and data in the day-to-day operations.

SEC. 11. EVALUATION OF AGENCY ANALYTICAL CAPABILITIES.

(a) AGENCY REVIEW OF EVALUATION AND ANALYTICAL CAPABILITIES.—Not later than 3 years after the date of enactment of this Act, the Chief Operating Officer of each agency shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives, the Director of the Office of Management and Budget a report on the review described in subsection (b).

(b) REQUIREMENTS OF AGENCY REVIEW.—The report required under this section shall assess the coverage, quality, methods, effectiveness, and independence of the agency’s evaluation research and analysis efforts, including each of the following:

(1) A list of the activities and operations of the agency that are being evaluated and analyzed and the activities and operations that have been evaluated and analyzed during the previous 5 years.

(2) The extent to which the evaluations research and analysis efforts and related activities of the agency are appropriate to the needs of various divisions within the agency.

(3) The extent to which the evaluation research and analysis activities and related activities of the agency address an appropriate balance between needs related to organizational learning, ongoing program management, performance management, strategic management, interagency and private sector coordination, internal and external oversight, and accountability.

(4) The extent to which the agency uses methods and combinations of methods that are appropriate to agency divisions and the corresponding research questions being addressed, including the combination of formative and summative evaluation research and analysis approaches.
the United States shall submit to Congress a report that summarizes agency findings and highlights trends from the reports submitted pursuant to subsection (a) and, if appropriate, recommendations for further improvements in agency capacity to use evaluation techniques and data to support evaluation efforts.

SEC. 1098D. EFFECTIVE DATE.

This subtitle, and the amendments made by this subtitle, shall take effect on the date that is 180 days after the date of enactment of this Act.

SA 4534. Mr. UDALL submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1097. EXTENSION OF DEADLINE FOR MILITARY TRAINING STATES.

(a) Designation Submissions.—Notwithstanding any other provision of law, not later than October 26, 2024, in the case of a State in which an installation or activity of the Department of Defense is located, the Administrator of the Environmental Protection Agency shall, by rule, designate all areas, or portions of areas, of the State as attainment, nonattainment, or unclassified with respect to the 2015 ozone standards.

(b) Designation Promulgation.—Notwithstanding any other provision of law, not later than October 26, 2025, in the case of a State in which an installation or activity of the Department of Defense is located, the Administrator of the Environmental Protection Agency shall, by rule, re-designate all areas, or portions of areas, of the State as attainment, nonattainment, or unclassified with respect to the 2015 ozone standards.

SEC. 1099G. EFFECTIVE DATE.

This subtitle, and the amendments made by this subtitle, shall take effect on the date that is 60 days after the date of enactment of this Act.

SA 4535. Mrs. ERNST submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1097. MEAT OPTIONS.

(a) In General.—During the fiscal year 2017, for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SA 4536. Mr. CASSIDY submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1097. MEAT OPTIONS.

(a) In General.—During the fiscal year 2017, for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SA 4538. Mrs. MURRAY (for herself, Mr. BLUMENTHAL, Mr. BROWN, and Ms. MIKULSKI) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 662.

SA 4539. Mrs. MURRAY (for herself, Mr. BLUMENTHAL, Mr. BROWN, and Ms. MIKULSKI) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 341. MITIGATION OF RISKSPOSED BY ZIKA VIRUS.

(a) INSECT REPELLENT AND OTHER MEASURES TOPROTECT SERVICE MEMBERS FROM THE ZIKA VIRUS.—Funds authorized to be appropriated by this Act or otherwise made available for operation and maintenance, defense-wide, shall be made available for the deployment of insect repellent and other appropriate measures for members of the Armed Forces stationed in areas affected by the Zika virus, as well as the treatment for insects at military installations where members of the Armed Forces and Department of Defense civilian personnel are stationed in areas affected by the Zika virus.

(b) REPORT ON EFFORTS TO MITIGATE RISK TO SERVICE MEMBERS POSED BY THE ZIKA VIRUS.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the risk members of the Armed Forces face of contracting the Zika virus and the mitigation efforts being taken by the Department of Defense in response. The report shall include a strategy to counter the virus should it become a long-term issue.

(c) AREAS AFFECTED BY THE ZIKA VIRUS DEFINED.—In this section, the term ‘‘areas affected by the Zika virus’’ means areas under a level 2 or level 3 travel advisory notice issued by the Centers for Disease Control and Prevention related to the Zika virus.

SEC. 342. INSECT REPELLENT AND OTHER MEASURES TO PROTECT SERVICE MEMBERS FROM THE ZIKA VIRUS.

(a) INSECT REPELLENT AND OTHER MEASURES TO PROTECT SERVICE MEMBERS FROM THE ZIKA VIRUS.

(b) REPORT ON EFFORTS TO MITIGATE RISK TO SERVICE MEMBERS POSED BY THE ZIKA VIRUS.

(c) AREAS AFFECTED BY THE ZIKA VIRUS DEFINED.

SEC. 343. UNCLASSIFIED PROVISION.

SEC. 344. ZIKA VACCINE.

SEC. 345. ZIKA RESPONSE.

SEC. 346. TRANSMISSION OF INFECTION.

SEC. 347. REPORT ON VACCINE.

SEC. 348. REPORT ON TRANSMISSION OF INFECTION.

SEC. 349. REPORT ON VACCINE.

SEC. 350. REPORT ON TRANSMISSION OF INFECTION.
to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title VIII of division A, insert the following:

SEC. 829K. PROHIBITION ON CONTRACTING WITH DISCRIMINATORY CONTRACTORS.

(a) In general.—Notwithstanding section 829H, the Secretary of Defense may not enter into any contract described in subsection (b) with any person or business that the Labor Compliance Advisor of the Department of Defense determines to have engaged, during the 3-year period preceding the request for proposals for the contract, employees, or individuals who are former employees, in a cumulative amount of more than $100,000 in unpaid wages and associated damages resulting from violations of the Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.) as determined by the Secretary of Labor or a court of competent jurisdiction.

(b) Applicable contract.—A contract described in this subsection is any procurement contract for goods and services, including contracts for which the estimated value of the supplies acquired and services required exceeds $50,000.

SA 4540. Mrs. MURRAY (for herself, Mr. BLUMENTHAL, Mr. BROWN, and Ms. MIKULSKI) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title VIII of division A, insert the following:

SEC. 855. COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON THE DEMOGRAPHIC COMPOSITION OF THE SERVICE ACADEMIES.

(a) Report.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the demographic composition of the service academies.

(b) Elements.—The report required by subsection (a) shall include, for each service academy, the following:

(1) The gender and ethnic group (in this subsection referred to as the “demographic composition”) of the cadets in the four most recent matriculating classes.

(2) The demographic composition of the nominates in the four most recent matriculating classes.

(3) The demographic composition of the applicants in the four most recent matriculating classes.

(4) The demographic composition of the four most recent classes.

(5) The number, demographic composition, and current grades of graduates on active duty at each graduating class that graduated 10 years, 20 years, and 25 years before the current graduating class.

(c) Service Academies Defined.—In this section, the term “service academies” means the following:

(1) The United States Military Academy.

(2) The Naval Academy.

(3) The Air Force Academy.

(4) The Coast Guard Academy.


SA 4542. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1097. WATER RESOURCE AGREEMENTS WITH FOREIGN ALLIES AND ORGANIZATIONS IN SUPPORT OF CONTINGENCY OPERATIONS.

The Secretary of Defense, with the concurrence of the Secretary of State, is authorized to enter into agreements with the governments of allied countries and organizations described in section 2350(a)(2) of title 10, United States Code, to develop land-based water resources in support of and in preparation for contingency operations, including water efficiency, reuse, selection, pumping, purification, storage, research and development, distribution, cooling, consumption, and acquisition of water supply equipment, and water support operations.

SA 4543. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1097. NATIONAL LANGUAGE SERVICE CORPS.


SA 4544. Mr. BOOKER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 538. ACCOMMODATIONS FOR THE WEARING OF ARTICLES OF FAITH ALONG WITH THE UNIFORM FOR MEMBERS OF THE ARMED FORCES.

(a) Sense of Congress.—It is the sense of Congress that, in order to increase the efficiency of the process by which the Armed Forces address religious accommodation requests, the Department of Defense should—

(1) expeditiously and clearly define and publish a list of religious apparel considered “neat and conservative” for purposes of section 774 of title 10, United States Code, which list should include uniform standards for articles of faith such as those worn by observant Sikhs, orthodox Jews, and Muslims;

(2) modify the process for addressing religious accommodation requests in order to provide that decisions on such requests of current members of the Armed Forces are issued not later than 30 calendar days after the filing of the request; and

(3) for individuals accessing into the Armed Forces, provide that decisions on religious accommodation requests are made not later than the earlier of—

(A) 30 calendar days after the filing of the request;

(B) the date on which such individuals access into the Armed Forces;

(c) Approval of religious accommodation request.—A member may be required to violate their religious beliefs if such accommodation request is pending in a manner such that—

(A) a request is pending, the member should not be permitted to wear articles of faith consistent with the member’s beliefs; and

(B) individuals accessing into the Armed Forces are permitted to observe religious requirements, including requirements for religious apparel, grooming, and appearance, during the pending of their requests;

(5) provide that religious accommodation requests be approved at the lowest level possible of command and, if appropriate, forwarded to the Secretary of the military department; and

(7) not require any unnecessary testing in connection with resolving religious accommodation requests.

(b) Annual reports on religious accommodation processes of the armed forces.—Not later than one year after the date of the enactment of this Act, and annually thereafter for the next seven years, the armed forces shall submit a report to the Committees on Armed Services of the Senate and the House of Representatives, describing the processes by which religious accommodation requests are processed and how the processes have been improved.
Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth the following:

(1) A description of the current process of each Armed Force for addressing religious accommodation requests.

(2) The number of religious accommodation requests received by each Armed Force during the one-year period ending on the date of such report.

(3) The average processing time of each Armed Force for addressing religious accommodation requests during such period.

(4) A comparison of the number and nature of religious accommodation requests approved during such period with the number and description of gromming standard exemptions approved during such period, set forth by Armed Force.

(5) A description of the impact, if any, on members of the need for renewed religious accommodation requests in connection with promotion, new duties, or transition through commands during such period, set forth by Armed Force.

(c) RELIGIOUS ACCOMMODATION REQUEST DEFINED.—In this section, the term ‘religious accommodation request’ means the request of a member of the Armed Forces to wear articles of faith consistent with the member’s beliefs along with the uniform.

SA 4545. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1097. REPORT ON SUPPLIES OF HEAVY WATER FOR SCIENTIFIC AND COMMERCIAL RESEARCH.

Not later than 60 days after the date of enactment of this Act, the Secretary of Energy shall submit to the appropriate committees of Congress a report that addresses the options available to the Federal Government for meeting domestic requirements for supplies of heavy water for scientific and commercial research.

SA 4546. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1277. LIMITATION ON FUNDING FOR UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE.

None of the funds made available to be appropriated by this Act or any other Act may be obligated or expended for the United Nations Framework Convention on Climate Change, or subsidiary entities including the Green Climate Fund, as long as Palestine is recognized as a party to the Convention, as required by:

(1) section 410 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103-256; 22 U.S.C. 287e note); and

SA 4547. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1097. PROHIBITION ON DISCRIMINATION AGAINST CERTAIN COVERED SERVICEMEMBERS WITH RESPECT TO CREDIT TRANSACTIONS.

(a) In General.—Title II of the Servicemembers Civil Relief Act (50 U.S.C. 3931 et seq.) is amended by adding at the end the following:

SEC. 209. PROHIBITION ON DISCRIMINATION IN CREDIT TRANSACTIONS.

(a) PROHIBITION.—It shall be unlawful for any creditor to discriminate against a covered servicemember with respect to any aspect of a credit transaction because of the status of the covered servicemember as a covered servicemember.

(b) ENFORCEMENT.—In addition to the enforcement authority of the Title VIII, the Bureau of Consumer Financial Protection shall be authorized to enforce the requirements of this section.

(c) DEFINITIONS.—In this section:

(1) The term ‘covered servicemember’ means a service member as follows:

(A) a servicemember on active duty, as defined in section 101(d)(1) of title 10, United States Code;

(B) a servicemember on active duty for a period of more than 30 days, as defined in section 101(d)(2) of title 10, United States Code;

(C) a servicemember on active Guard and Reserve duty, as defined in section 101(d)(5) of title 10, United States Code;

(2) The term ‘creditor’ has the meaning given that term in section 702 of the Equal Credit Opportunity Act (15 U.S.C. 1691a).

(b) CREDIAL APPLICATION.—The table of contents in section 1(b) of the Servicemembers Civil Relief Act (50 U.S.C. 3901 et seq.) is amended by inserting after the item relating to section 208 the following new item:

“Sec. 209. Prohibition on discrimination in credit transactions.”;

SA 4548. Mr. BROWN (for himself, Mr. BLUNT, Mrs. McCASKILL, and Mr. PORTMAN) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 3503. FIRE-RETARDANT MATERIALS EXEMPTION.

Section 5003 of title 46, United States Code, is amended—

(1) in subsection (a), by striking ‘‘2008, this section does not” and inserting ‘‘2028, this subsection shall not”; and

(2) in subsection (b)(1)—

(A) in the matter preceding subparagraph (A), by striking ‘‘of this section” and inserting “under subsection (a)”;

(B) in subparagraph (A), by inserting “and crew” after “prospective passengers’’;

(C) in subparagraph (B), by inserting “or crew member” after “passenger”;

(D) in subparagraph (C), by striking “and” at the end; and

(E) by striking subparagraph (D) and inserting the following:

“(D) the owner or managing operator of the vessel shall—

(1) make annual structural alterations to at least 10 percent of the area of the vessel that are not constructed of fire-retardant materials;

(2) provide advance notice to the Coast Guard regarding the alterations made pursuant to clause (1); and

(3) comply with any noncombustible material requirements prescribed by the Coast Guard;

(3) the requirements referred to in subparagraph (D)(ii) shall be consistent, to the extent practicable, with the preservation of the historic integrity of the vessel in use, carrying or accessible to passengers or generally visible to the public.”;

SA 4549. Mr. REED (for himself and Ms. MUKULSKI) proposed an amendment to amendment SA 4229 proposed by Mr. MCCAIN to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; as follows:

At the end, add the following:

SEC. 1513. OTHER OVERSEAS CONTINGENCY OPERATIONS MATTERS.

(a) ADJUSTMENTS.—Section 101(d) of the Bipartisan Budget Act of 2015 (Public Law 114–74, 129 Stat. 587) is amended—

(1) by striking paragraph (2)(B) and inserting the following:

“(B) for fiscal year 2017, $76,798,000,000;”;

and

(2) by inserting after paragraph (2) the following:

“(3) For purpose authorized by section 1513(b) of the National Defense Authorization Act for Fiscal Year 2017, $18,000,000,000.

(b) ADDITIONAL PURPOSES.—In addition to amounts already authorized to be appropriated or made available under an appropriation Act making appropriations for fiscal year 2017, there are authorized to be appropriated for fiscal year 2017—

(1) $2,000,000,000 to address cybersecurity vulnerabilities, which shall be allocated by the Director of the Office of Management and Budget among nondefense agencies;

(2) $1,000,000,000 to address the heroin and opioid crisis, including funding for law enforcement, treatment, and prevention;

(3) $1,900,000,000 for budget function 550 to implement the integrated campaign plan to counter the Islamic State of Iraq and the Levant, for assistance under the Food for Peace Act (7 U.S.C. 1721 et seq.), for assistance for Jordan, Lebanon, and for embassy security;

(4) $1,400,000,000 for security and law enforcement needs, including funding for—

(i) the Department of Homeland Security—

(ii) the Transportation Security Administration to reduce wait times and improve security;

(ii) to hire 2,000 new Customs and Border Protection Officers; and
SEC. 709. EXCEPTION TO INCREASE IN COST-SHARING AMOUNTS FOR TRICARE PHARMACY BENEFITS PROGRAM FOR BENEFICIARIES WHO LIVE MORE THAN 40 MILES FROM A MTF FACILITY.

(a) IN GENERAL.—Notwithstanding paragraph (6) of section 1074(a) of title 10, United States Code, as amended by section 702(a), the Secretary of Defense may not increase after the date of the enactment of this Act any cost-sharing amounts under such paragraph with respect to covered beneficiaries described in subsection (b).

(b) COVERED BENEFICIARIES DESCRIBED.—Covered beneficiaries described in this subsection are beneficiaries who are exempt beneficiaries (as defined in section 1074(g)(1) of title 10, United States Code) who live more than 40 miles driving distance from the closest military treatment facility to the residence of the beneficiary.

(c) REPORT ON EFFECT OF INCREASE.—

(1) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the potential impact of the increase in cost-sharing amounts described in subsection (a), of the increase in cost-sharing amounts under section 1074(a)(6) of title 10, United States Code, to the congressional defense committees a report setting forth the following:

(A) The average amount per individual and the aggregate amount.

(B) The average amount per beneficiary.

(C) The range of per-person cost-sharing amounts.

(D) The individual and the aggregate amount.

(E) The average amount per individual and the aggregate amount.

(2) ELEMENTS.—The report required by paragraph (1) shall include an assessment of how much additional costs would be incurred by covered beneficiaries described in subsection (b) per year as a result of increases in cost-sharing amounts described in such paragraph, including the average amount per individual and the aggregate amount.

SEC. 1008. REPORT ON EFFORTS OF THE UNITED STATES MILITARY TO DETECT AND MONITOR ILLEGAL DRUG TRAFFICKING.

(a) IN GENERAL.—Notwithstanding paragraph (1) of section 1008(a), the Secretary of Defense shall, in consultation with the Commander of the United States Northern Command, submit to the congressional defense committees a report setting forth the following:

(1) An assessment of the effectiveness of the efforts of the United States military to detect and monitor the aerial and maritime transit of illegal drugs into the United States.

(2) An identification of gaps in capabilities that may hinder the efforts of the United States military to detect and monitor the aerial and maritime transit of illegal drugs into the United States, and a description of any plans to address and mitigate such gaps.

(3) A description of any trends in the aerial and maritime transit of illegal drugs into the United States, include trafficking routes, methods of transportation, and types and quantities of illegal drugs trafficked.

(4) An identification of opportunities and challenges relating to enabling or building the capacity of partner countries in the region to detect, monitor, and interdict trafficking in illegal drugs.

(5) Such other matters relating to the efforts of the United States military to detect and monitor illegal drug trafficking as the Secretary considers appropriate.

SEC. 1277. SAVINGS PROVISION RELATING TO STATIONING PERSONNEL AT UNITED STATES EMBASSIES.

Nothing in this title may be construed to prohibit or restrict the Secretary of Defense, the Secretary of State, or the head of any other United States Government department or agency from stationing personnel at any United States embassy for the purpose of carrying out their official duties.
SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled “Deadly Synthetic Drugs: The Need to Stay Ahead of the Poison Peddlers.”

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. THUNE. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on June 7, 2016, at 2:30 p.m., in room SH-216 of the Hart Senate Office Building.

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

SUBCOMMITTEE ON THE CONSTITUTION AND SUBCOMMITTEE OVERSIGHT, AGENCY ACTION, FEDERAL RIGHTS AND FEDERAL COURTS

Mr. THUNE. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on the Constitution, and Subcommittee on Oversight, Agency Action, Federal Rights, and Federal Courts, be authorized to meet during the session of the Senate, on June 7, 2016, at 1 p.m., in room SD-106 of the Dirksen Senate Office Building, to conduct a hearing entitled “S. 2763, the Holocaust Expropriated Art Recovery Act—Reuniting Victims with Their Lost Heritage.”

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

SUBCOMMITTEE ON SUPERFUND, WASTE MANAGEMENT, AND REGULATORY OVERSIGHT

Mr. THUNE. Mr. President, I ask unanimous consent that the Subcommittee on Superfund, Waste Management, and Regulatory Oversight of the Committee on Environment and Public Works be authorized to meet during the session of the Senate on June 7, 2016, at 2:30 p.m., in room SD-406 of the Dirksen Senate Office Building, to conduct a hearing entitled, “Oversight of EPA Unfunded Mandates on State, Local, and Tribal Governments.”

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

PRIVILEGES OF THE FLOOR

Ms. MIKULSKI. Mr. President, I ask unanimous consent that Jessica Armstrong, a legislative fellow from the Department of Defense and my military legislative assistant, be allowed floor privileges during the consideration of S. 2943, the Defense authorization bill.

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

Mr. COONS. Mr. President, I ask unanimous consent that Leah Rubin Shen, a science fellow in my office, be granted floor privileges for the remainder of the 114th Congress.

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

Mr. MERKLEY. Mr. President, I ask unanimous consent that my intern Elise Brown be granted privileges of the floor for the remainder of the day.

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

FEMALE VETERAN SUICIDE PREVENTION ACT

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee on Veterans’ Affairs be discharged from further consideration of S. 2487 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The legislative clerk read as follows:

S. 2487

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 “Female Veteran Suicide Prevention Act”.

SEC. 2. SPECIFIC CONSIDERATION OF WOMEN VETERANS IN EVALUATION OF DEPARTMENT OF VETERANS AFFAIRS MENTAL HEALTH CARE AND SUICIDE PREVENTION PROGRAMS.

Section 1709B(a)(2) of title 38, United States Code, is amended—

(1) in subparagraph (A), by inserting before the semicolon the following: “, including metrics applicable specifically to women”;

(2) in subparagraph (D), by striking “and” at the end;

(3) in subparagraph (E), by striking the period at the end and inserting “; and”; and

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

“(F) identify the mental health care and suicide prevention programs conducted by the Secretary that are most effective for women veterans and such programs with the highest satisfaction rates among women veterans.”

AUTHORIZING USE OF THE CAPITOL GROUNDS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H. Con. Res. 119, which is at the desk.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 119) authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby.

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

Mr. McCONNELL. I ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be laid upon the table with no intervening action or debate.

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

The concurrent resolution (H. Con. Res. 119) was agreed to.

ORDERS FOR WEDNESDAY, JUNE 8, 2016

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Wednesday, June 8; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate resume consideration of S. 2943; further, that the Senate recess subject to the call of the Chair at 10:30 a.m.

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

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 8:45 p.m., adjourned until Wednesday, June 8, 2016, at 9:30 a.m.
HONORING MIKE SUGRUE
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 7, 2016

Mr. Krech and John Marsh, hosted a "Tape from Home" at the local mall where people could come record their comments for friends and family who were serving in the military.

Mr. Krech is the current and three time winner of the News Tribune's "Readers' Choice" award for favorite local radio personality. Additionally, Warren is an active local emcee and speaker for charities including: Samaritan Center, Special Olympics, and Heart Association. Mr. Krech has been host of the Jerry Lewis MDA Telethon for 13 years on KOMU-TV.

With this retirement, Mr. Krech will now be able to spend more time with his wife, Marcia, who is a retired Jefferson City teacher. He has a daughter, Sarah, who lives in St. Louis and a son, Ben, who lives in Washington, DC. Warren also enjoys the St. Louis Cardinals, running, cycling, gardening, and his two cats. I ask you in joining me in recognizing Mr. Warren Krech on his retirement. His commitment to the radio industry and his local community makes this a commendable accomplishment.

HONORING THE LIFE OF REAR ADMIRAL KEVIN FRANCIS DELANEY, USN (RET.)

HON. ANDER CRENshaw
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 7, 2016

Mr. Crenshaw. Mr. Speaker, I rise today to honor the service and life of Rear Admiral Kevin Francis Delaney, USN (Ret.), who defended our nation with distinction for 34 years as a member of the United States Navy. He died on April 7, 2015, but on June 10, 2016 we have yet another occasion to honor his service to our country and community. On that day, Hangar 1122 at Naval Air Station Jacksonville (NAS Jacksonville) will be named in Kevin's honor for his outstanding airmanship and courage, his exceptional stewardship of natural resources, and his leadership and concern for the sailors of the United States Navy. I like to take this opportunity to share some of Kevin's accomplishments through the course of his career both in and out of uniform. His commitment to our country did not end with retirement: He used his quality leadership skills, infectious charismatic spirit, and deep commitment to service and hard work in our Jacksonville, Florida community to make it a better place.

Kevin was a proud Vietnam Veteran. He flew helicopter gunships on 686 combat missions in support of the Navy riverine forces and SEAL units in the Mekong Delta. For conspicuous gallantry and intrepidity in action on one of those missions, Kevin was awarded the Silver Star. In all, Kevin received 98 awards and decorations of which 64 were for combat action and also included the Distinguished Flying Cross, 11 Single Action Air Medals, 26 Strike/Flight Air Medals, and six Republic of Vietnam Gallantry Crosses.

Kevin served in six operational aircraft squadrons, had multiple major staff assignments, and was air boss on the USS Guadalcanal off the coast of Beirut. His naval career included six command tours including two aviation squadrons, an aircraft wing, and NAS Jacksonville. Under his command, the base was selected as the Navy's top shore installation in 1991. Kevin was awarded the Legion of Merit as Commanding Officer of NAS Jacksonville for, among other things, enhancing the quality of life for all personnel and improving the profitability of morale, welfare, and recreation programs by 107 percent by utilizing a unique Treat Everyone As Myself (TEAM) approach.

Kevin's final command, headquartered at NAS Jacksonville, was as the Navy's Regional Commander for the Southeastern United States and the Caribbean. Rear Admiral Delaney was responsible for over 40 commands, including 17 major naval installations. He received the Navy Recruiting Service Medal for his work as the Commander. The accompanying citation says: A brilliant visionary, he built solid and ambitious professional partnerships with local community agencies.

Kevin came to our town in the military, but he remained a veteran and became a great civic leader. He was recognized as one of Jacksonville's 10 Most Influential Business Leaders of the Decade in 2000. The list of volunteer activities of Kevin Delaney is both long and varied. He served on the boards of 19 area non-profit organizations and was past chairperson or president of the following organizations: the Ronald McDonald House Advisory Board, Florida State College of Jacksonville Foundation, Rotary Club of Jacksonville, Northeast Florida Safety Council, United Way of Northeast Florida, and Jacksonville Beaches Chamber of Commerce. Kevin was appointed by the Governor of Florida to serve on the Florida Defense Support Task Force and also served on the U.S. Small Business Administration's National Advisory council, and on the National Board of Directors of The Wounded Warrior Project.

In 2014, Kevin was honored by the SBA as the Veteran Small Business Owner of the Year for Florida, by the Jacksonville Business Journal as a Veteran of Influence, and by the Jacksonville Regional Chamber of Commerce as the first member of its Military Hall of Fame. It was later named in his honor. Mr. Speaker, I ask you and Members of the House to join me in saluting the life and service of Rear Admiral Kevin F. Delaney, USN (Ret.).

RECOGNIZING THE GARY CRUSSER ON ITS 55TH ANNIVERSARY

HON. PETER J. Visclosky
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 7, 2016

Mr. Visclosky. Mr. Speaker, it is with great pleasure and admiration that I recognize this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.
Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Jack Knight for receiving the Arvada Wheat Ridge Service Ambassador for Youth award.

JACK KNIGHT

HON. ED PERLMUTTER
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 7, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Jack Knight for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Mr. KNIGHT. I am honored to be here today to share the story of a young man who has demonstrated exceptional leadership and commitment to his community.

Jack Knight is a student at Stanley Lake High School and has been recognized for his hard work and dedication. He has earned an award for his contributions to the community and has demonstrated a strong sense of responsibility.

The dedication demonstrated by Jack Knight is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential that students at all levels strive to make the most of their education and develop a work ethic that will guide them for the rest of their lives.

I extend my deepest congratulations to Jack Knight for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

HONORING ERIN HURLEY
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 7, 2016

Mr. HUFFMAN. Mr. Speaker, I rise today to recognize Erin Hurley of Marin County, California, for her selection as the Classified Employee of the Year at the 2016 Golden Bell Awards Ceremony, presented by the Marin County Office of Education in collaboration with the Marin County School Board Association and other local civic organizations.

Erin Hurley has dedicated more than two decades to improving the health and welfare of students in Marin County.

For the past 15 years, Ms. Hurley has worked at Marinside Early Intervention, where she serves more than 100 students facing a critical time in their development. A student-centered professional, she advocates for appropriate placements and the implementation of strategies specific for each child. She also works to educate staff and parents on body mechanics and ergonomics for themselves and for their students and children.

Ms. Hurley works hard to develop relationships with each of the young people she works with. Along with understanding students’ specific motor abilities and behavioral and communication goals, she makes an effort to create a comfortable and safe environment where students feel comfortable challenging themselves.

The Golden Bell Awards celebrate public education in Marin County by recognizing outstanding teachers and supportive community partners. Each year, they select an exemplary educator, classified employee, teacher, and trustee for recognition.

Mr. Speaker, it is therefore fitting that we honor and thank Erin Hurley for her contributions to students and public education in Marin County and California.

VALERIE GRASSO
HON. RICK LARSEN
OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 7, 2016

Mr. LARSEN of Washington. Mr. Speaker, I rise today to recognize the extraordinary career of Valerie Bailey Grasso. Ms. Grasso retired earlier this year, concluding a remarkable 32 years of federal civil service with the Department of the Navy, the Library of Congress, and the Congressional Research Service (CRS). For the last 18 years, she has served as a defense acquisition policy analyst in the Foreign Affairs, Defense, and Trade Division of the CRS, rising to Specialist, the highest grade attainable. While at the CRS, she supplied Members of Congress, their personal staffs, and the staffs of congressional committees with consistently high quality insights, policy analysis, and historical context.

I personally relied on reports she authored on topics
Mayors Betsy Hodges and R.T. Rybak on her motorcycle at the Pride Parade.

The 2016 Lifetime Champions of Pride are highly effective leaders in the Minnesota Legislature who have worked extensively on equality. When Representative Karen Clark was first elected to the Legislature in 1980, there were very few elected officials non-binary, across the state. Throughout her time in office, she achieved countless successes for the LGBTQ community: including “Sexual Orientation” in the Minnesota Human Rights Act, expanding housing and healthcare for HIV positive individuals, and promoting social and economic justice. She is the longest-serving lesbian Legislator in the U.S. Senator Scott Dibble became involved in politics in the mid-1980s, inspired to fight for the civil rights of the LGBTQ community. Since his election to the Senate in 2002, Senator Dibble has helped pass the Runaway and Homeless Youth Act, the Safe and Supportive Schools Act, and numerous transportation and transit plans. Representative Clark and Senator Dibble were instrumental in gathering popular support to defeat the anti-marriage ballot amendment in 2012. Their tireless advocacy to engage Minnesotans culminated in the successful effort to legalize marriage equality statewide in 2013.

Twin Cities Pride also recognizes the contributions of organizations that are creating a more equitable and inclusive world. The Community Champions of Pride are the Minnesota Transgender Health Coalition, TransForming Families, and Out & Sober Minnesota.

Since marriage equality has become the law statewide and nationwide, some people hang up their coats and think, “We’re done.” As almost anyone in the community can tell you, that is absolutely not the case. LGBTQ individuals, and especially trans folks and people of color, face disproportionately high rates of homelessness, health issues, discrimination, and income insecurity. In order to achieve true LGBTQ equality, we need to continue focusing on the intersections of gender, sexual orientation, race, ethnicity, income, immigration status, and other identities that highlight the desplicable disparities in our state. I am proud these honors have been dedicated to fight on behalf of communities routinely excluded from advocacy or glossed over in public policy. They each demonstrate that when we stay engaged, when we turn out—we win. In the era of bathroom bills and legalized discrimination, it’s more important than ever to make our voices heard—in the ballot boxes, in the halls of Congress, and beyond.

HONORING MR. GARY HARRISON FREER
HON. JEB HENSARLING
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 7, 2016

Mr. HENSARLING. Mr. Speaker, it is an honor to recognize Mr. Gary Harrison Freer for his courageous service to our country. Commander Gary Harrison Freer joined the United States Navy on March 12, 1967 after graduating from the University of Tennessee, Knoxville.

After completing Aviation Officer Candidate School and earning the Navy “Wings of Gold,” Commander Freer was designated a naval aviator and qualified pilot of military aircraft. He requested training in the A-4 Skyhawk and in August of 1969 joined the attack squadron, VA-22, also known as the Fighting Redcocks aboard the aircraft carrier USS Bonhomme Ric. Commander Freer has an impressive flight record that logged 2,397 hours of military flight, carried out 103 missions in Vietnam and recorded 212 day and night carrier takeoffs and landings. Commander Freer finished his active duty in April of 1972, but served fifteen more years in the Reserves before transferring to the Retired Reserves in December of 1989.

Commander Freer was awarded the National Defense Service Medal, Meritorious Unit Commendation, Vietnam Service Medal, Armed Forces Expeditionary Medal (Korea) and the Vietnam Campaign Air Medal S/F–9.

Humbly, I echo the words of President Ronald Reagan, “We will always remember. We will always be proud. We will always be prepared, so we will always be free.” And humbly, I offer my sincere gratitude to Commander Gary Harrison Freer for his service and acts of bravery that allow us the freedoms we enjoy today.

KIYLEE VALDEZ
HON. ED PERLMUTTER
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 7, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Kiylee Valdez for receiving the Arvada Wheat Ridge Service Awards for Youth award. Kiylee Valdez is a 12th grader at Warren Tech North and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Kiylee Valdez is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Kiylee Valdez for winning the Arvada Wheat Ridge Service Awards for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.
and one sawmill, along with some building materials. Local rumor has it that George Washington once passed down the main road of this Washington County town, and two centuries later, Bentleyville has blossomed into a borough with unique character and beauty—a place I am proud to have in Pennsylvania’s 9th Congressional District.

The borough of Bentleyville has benefitted greatly from its location in a strong coal mining region, and as such I am proud to highlight the borough’s contribution to the rich history and heritage associated with coal mining. Over the past 26 years, Bentleyville has produced many generations of exceptional citizens, all adding their unique spirit, character, and successes to the Commonwealth of Pennsylvania.

It is thus with great pride that I represent the remarkable citizens of past and present of the Bentleyville Borough and congratulate them on this significant milestone.

HONORING THE CAREER OF ROGER E. MILLER

HON. BRIAN HIGGINS
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 7, 2016

Mr. HIGGINS. Mr. Speaker, I rise today to honor the career and legacy of service of Mr. Roger E. Miller, who is celebrating his retirement from the post as Deputy Assistant Secretary——

Mr. Speaker, I rise today to honor the career and legacy of service of Mr. Roger E. Miller, who is celebrating his retirement from the post as Deputy Assistant Secretary for Healthcare Programs. After 26 years of tirelessly serving the United States Department of Housing and Urban Development, he leaves a legacy of incomparable dedication to communities across the country.

Roger Miller began his career as HUD’s first staff member with a background in healthcare, holding a Master of Hospital Administration degree from the University of Minnesota. Prior to his role at HUD, Miller was Senior Vice President of York Hospital, a large teaching hospital where patient care costs were among the lowest in the nation.

Throughout his career, Roger E. Miller has maintained his devotion to healthcare through assisting in the expansion of Millard Fillmore Suburban Hospital, and the construction of multiple healthcare facilities around Western New York, such as the Gates Vascular Institute, HighPointe on Michigan and the new Oishei Children’s Hospital.

Roger Miller has been an integral part of the HUD Office of Healthcare Programs which administers the Section 232 Residential Care Facilities Program and the Section 242 Hospitals Program, together comprising a $31 billion FHA portfolio of insured mortgages. Miller has led the OHP to improve its abilities to serve more communities across the nation while maintaining very low claim rates in both programs. In recent years, he has spearheaded a vigorous effort to implement Office-wide Lean Processing quality improvements and process reengineering, enabling OHP to better respond to emergent industry needs. Other notable career and personal achievements by Roger Miller include the launch of a large assisted living facility, a system of community health centers, a private, non-profit, industrial and economic development corporation operating in Northeastern Pennsylvania. CAN DO has been doing great work in my hometown of Hazleton, and in fact my office back home is in the CAN DO building at 1 South Church Street. With a mission of improving the quality of life in the Greater Hazleton area through the creation and retention of employment opportunities, CAN DO’s presence in Northeastern Pennsylvania has provided my constituents with the resources they need to secure meaningful employment and engagement in their communities.

In 1956, a small group of merchants and professional men believed that they could turn the tide on Hazleton’s post-coal mining economic troubles. It was this spirit that fueled Dr. Edgar L. Dessen, the Greater Hazleton Chamber of Commerce, and a group of local civic and business leaders to create a community economic development organization, known as CAN DO. The organization’s first fundraising initiative encouraged residents to donate a “dime-a-week,” which they hoped would raise enough money to invest in new industries across the city. Growing up, I remember hearing stories of red lunch pails displayed around town to promote their fundraising effort, as well as the “Miles of Dimes” event, which saw men, women, and children place their dimes onto a strip of tape on Broad Street in downtown Hazleton. After this successful fundraiser and starting with the purchase of one industrial park, CAN DO now operates one corporate center and three industrial parks in Northeastern Pennsylvania, including Humboldt Industrial Park, one of the largest parks in Pennsylvania and an employer for over 10,000 constituents in my district. As mayor, I saw firsthand how CAN DO continued to grow throughout the region. They now offer a wide range of services to the community, such as infrastructure development, financial assistance, and resources for entrepreneurs.

CAN DO’s commitment to the community in which they operate is evident through their receipt of numerous awards throughout the years. In 2006, CAN DO won a Best of Class Award for its CANtify!!! database and commerative book, and an Excellence Award for the marketing department’s print advertisement placed in Attaché magazine. Also in 2006, CAN DO won the U.S. Green Building Council Leadership in Energy and Environmental Design (LEED) Award for a property in the CAN DO Corporate Center. In 2008, CAN DO was named Large Agency of the Year by the Pennsylvania Economic Development Association. These various accolades exemplify the high level of service and stewardship provided by CAN DO, and I am confident that their continued engagement will be recognized for years to come.

Mr. Speaker, it is with gratitude and admiration that I honor the Community Area New Development Organization (CAN DO) upon the occasion of its 60th Anniversary. Time and again, CAN DO has exemplified the bond between private enterprise and community service through targeted initiatives and a commitment to excellence in Northeastern Pennsylvania. I wish to congratulate CAN DO on 60 years of meaningful community engagement, and look forward to witnessing the continued service provided by such a selfless and strategic organization.

HON. LOU BARLETTA
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 7, 2016

Mr. BARLETTA. Mr. Speaker, it is my honor to recognize the Community Area New Development Organization (CAN DO) upon the occasion of its 60th Anniversary. CAN DO is a private, non-profit, industrial and economic development corporation operating in Northeastern Pennsylvania. CAN DO has been doing great work in my hometown of Hazleton, and in fact my office back home is in the CAN DO building at 1 South Church Street. With a mission of improving the quality of life in the Greater Hazleton area through the creation and retention of employment opportunities, CAN DO’s presence in Northeastern Pennsylvania has provided my constituents with the resources they need to secure meaningful employment and engagement in their communities.

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called Union Station Homeless Services (USHS) in Pasadena, California, becoming Chief Executive Officer in 2008. USHS is dedicated to helping homeless and low-income families through their outstanding service programs operating throughout the San Gabriel Valley. The programs provide food, shelter, medical care, rehabilitation and job training for homeless and low-income families and individuals, assisting them through each step of the process, so they can become thriving members of society. Under Rabbi Gross’ stellar leadership, USHS has expanded from a 36-bed shelter on Raymond Avenue to a successful, service institution that serves over 2,200 people each year.

In his more recent volunteer capacity, Marv has served on many boards and committees, including Flintridge Preparatory School, the Pasadena Police Foundation, and he is a staunch member of the Pasadena Rotary Club. A longtime Sierra Madre resident, Marv has three children: Becky, Daniel, and Tara.

Rabbi Gross has tirelessly committed his working life to profoundly improve the lives of the homeless community. His generosity, compassion and leadership have deeply benefited the lives of thousands of homeless individuals and families.

I ask all members of Congress to join me today in honoring Rabbi Marvin M. Gross for over two decades of extraordinary and unparalleled service to Union Station Homeless Services.

IN MEMORY OF GREG CONNELL

HON. MARK SANFORD
OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 7, 2016

Mr. SANFORD. Mr. Speaker, I rise today in remembrance of Greg Connell, a stunt pilot from South Carolina, who unfortunately passed before his time while performing last weekend back in the Goodyear Neighborhood Day Airshow in Atlanta. Accordingly, I want to take a moment to offer my condolences to his wife, Ginger, as well as the host of additional family and friends he leaves behind.

It was the inventor Leonardo da Vinci who once said, “Once you have tasted flight, you will forever walk the earth with your eyes turned skyward, for there you have been, and there you will always long to return.” Greg’s eyes indeed always looked up. The heavens were his domain, and it is to them that he has returned.

He followed in his father’s footsteps and started flying back in 1989 at the young age of 13, and his love of flight was obvious in the way that he lived life. Indeed, he flew at the Annual Water Festival down in Beaufort, South Carolina on numerous occasions, and my brother, John, flew with him many times. At a personal level, I spent New Year’s down at the farm watching him do what he loved best: fly.

And that he could. He made the impossible look all too easy. With grace and flair, he was mesmerizing in the way he took to the sky.

Greg’s story is that of pursuing with passion a quest for excellence, and I think there is a lesson all of us can learn from within those pages. In his memory, I would ask that we take a moment today for reflection, and pause in asking how we live up to his model of excellence in all we do. For those of us who knew him, we will miss him. I look forward to our reunion in the heavens above.

A FAIR PROCESS FOR ALL: VOTER INEQUALITY IS A PROBLEM

HON. TERRI A. SEWELL
OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 7, 2016

Ms. SEWELL of Alabama. Mr. Speaker, I rise to acknowledge today as Restoration Tuesday and once again, to speak on behalf of those whose voices have been silenced by the refusal of Congress to fully restore the federal protections of the Voting Rights Act of 1965. Two weeks ago, I was honored to stand beside fellow colleagues Rep. MARC VEASEY of Texas and Rep. BOB BENDS of Virginia and other Members of Congress to launch the Congressional Voting Rights Caucus. The Caucus is committed to restoring the Voting Rights Act of 1965 to its original state and restoring the vote to all the suppressed voices in this great nation. We will continue to stand to ensure that we achieve our goal and make our election process fair for everyone once again. The right to vote should be easy for all eligible voters and not made more difficult for some of this country’s most disenfranchised members.

It is a sad day in this nation when there are eligible Americans who cannot take part in the democratic process that we as Americans are all promised, just because they are unable to attain a photo ID. To some, this may not seem like a hard request or even a major problem. However, to the people in rural Alabama and in many rural areas all over the country—it is a tough request and it is tough to comply. When your district closes over 30 DMVs—the most common location to receive a photo ID—this is a problem. When the nearest courthouse or DMV is 20 miles away and you don’t have gas money, a car, or any public transport—this is a problem. When you do not have a birth certificate because you were delivered by a midwife and are told you are not able to vote, even though you are an American, born and raised—this is a problem. What is crystal clear is that these new suppressive voting laws are crippling the democratic process. This is an American problem and the right to vote is under attack. An essential element of our democracy is corroding, and we indeed have a problem.

When a county systematically shuts down voting polls from 400 in 2008 to 200 in 2012 and then plummeted to only 60 in 2016, the problem is clear. Maricopa County in Arizona is a prime example of how voting laws are forcing voters to endure an arduous process to simply have their vote counted—to have their voices heard. To my fellow colleagues, I say maybe your district doesn’t have long lines wrapped around the streets and maybe your elderly constituents can easily access their birth certificates because you were delivered by a midwife and are told you are not able to vote, even though you are an American, born and raised. This is a problem. When you do not have a birth certificate because you were delivered by a midwife and are told you are not able to vote, even though you are an American, born and raised, this is a problem. When you do not have a birth certificate because you were delivered by a midwife and are told you are not able to vote, even though you are an American, born and raised, this is a problem.

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HON. JEB HENSARLING
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 7, 2016

Mr. HENSARLING. Mr. Speaker, it is an honor to recognize Mr. Douglas Wayne Satterfield for his courageous service to our country. A resident of Palestine, Texas, Corporal Douglas Wayne Satterfield was honorably discharged from the United States Marine Corps on May 3, 1968.

Corporal Satterfield enlisted in the USMC out of high school and served in at least a dozen operations in the unfamiliar terrain of South Vietnam. Corporal Satterfield participated in one of the first major offensive campaigns, Operation Hickory, by the Marines in “Leatherneck Square.” Satterfield was badly injured in combat during the assault at Con Thien as he crawled along the ground to their targets. Quick response and actions from his squadron leader and corpsman probably saved his life as they stabilized him before he was taken by Chinnook to a medevac station to undergo emergency surgery. Corporal Satterfield received decorations that included the National Defense Service Medal, Vietnam Service Medal, Vietnam Campaign Medal with device M-14 Rifle Sharpshooter Badge and the Purple Heart Medal.

Humbly, I echo the words of President Ronald Reagan, “We will always remember. We will always be proud. We will always be free.” And humbly, I offer my sincere gratitude to Corporal Douglas Wayne Satterfield for his service and acts of bravery that allow us the freedoms we enjoy today.

LUCY LEE
HON. ED PERLMUTTER
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 7, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Lucy Lee for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Lucy Lee is a 12th grader at Pomona High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Lucy Lee is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Lucy Lee for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

IN MEMORY OF MR. GENE BECKSTEIN

HON. DOUG COLLINS
OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 7, 2016

Mr. COLLINS of Georgia. Mr. Speaker, today I rise to honor the life of Mr. Gene Beckstein of Gainesville, Ga. Mr. Beckstein, also commonly known as ‘Mr. B’, was an inspiration to the people of our community. In 1969, and hard-sunk a mission for the homeless known as “Good News at Noon”. Good News at Noon provides meals for dozens of men, women, and children, while also providing beds for 200 homeless men in our community. This mission also operates as a food pantry, providing more than 100 boxes of food a week, and offers summer school programs for children. This faith-based ministry depends purely on the generosity of others, and ‘Mr. B’ was a great servant of the Lord. He was a Christ-like man who loved everyone equally. His work with the homeless community inspired people across Gainesville and Hall County to volunteer. Mr. Beckstein creates a meals program, such as Good News at Noon, because he was once homeless himself. He turned his life around when he high school baseball coach convinced him to use the GI Bill to fund his college education. ‘Mr. B’ went on to attend New York University, where he earned two master’s degrees and spent the next 37 years teaching in the public school system. After retiring from his teaching career, Mr. Beckstein and his wife Margie began serving food to the homeless. Mr. Beckstein built a food program called “Good News at Noon.” ‘Mr. B’ will be remembered for his humble-spirit, his inviting loving personality, and his ability to fulfill people with hope.

RECOGNIZING THE BLUE SKY FOUNDATION

HON. LAMAR SMITH
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 7, 2016

Mr. SMITH of Texas. Mr. Speaker, today I want to recognize the Blue Sky Foundation and their President and Executive Director, Dick Stockton, on behalf of the work they are doing for our nation’s veterans and servicemembers.

Drawing on his background in tennis, Mr. Stockton started a program within the Blue Sky Foundation called Thanking our Troops through Tennis or “T3.” The idea behind the program was to thank the members of the United States Military and their families for the sacrifices they make on a daily basis, using the game of tennis as the vehicle to do so. Blue Sky has been taking the T3 program to various military bases over the last four years and has offered free tennis clinics to active personnel, spouses, children, Veterans and Wounded Warriors.

The program has been well received, averaging 100 attended events since July of 2013. Blue Sky Foundation has hosted seventeen events at different bases around the country, including Andrews Air Force Base, Fort Bragg, Fort Benning, Camp Lejeune, Randolph Air Force Base and Fort Jackson, among others. It has been a successful program and has the ability to continue to grow and benefit many more members of the military and their families.

In appreciation of all they have done, Mr. Speaker, I ask that my colleagues join me in thanking them for their efforts.

RECOGNIZING THE GARY NAACP’S 51ST ANNUAL LIFE MEMBERSHIP BANQUET

HON. PETER J. VISCLOSKEY
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 7, 2016

Mr. VISCLOSKEY. Mr. Speaker, it is my distinctive pleasure to stand before you today to recognize and commend the members of the Gary, Indiana, branch of the National Association for the Advancement of Colored People (NAACP). On Saturday, June 4, 2016, the Gary NAACP held its 51st Annual Life Membership Banquet at the Genesis Convention Center in Gary, Indiana.

This annual event is a major fundraiser for the Gary NAACP. The organization has been generated through this event directly support the organization’s many outstanding programs and advocacy efforts. Through its membership and the support of the community, the Gary NAACP is able to serve the people of Northwest Indiana and continue the mission started by the national organization in 1909 by working diligently to combat injustice, discrimination, and unfair treatment for all people in today’s society. In addition, the banquet serves to update and keep the community aware of the NAACP’s activities and to formally honor its new life members.

This year, the Gary NAACP honored the following outstanding civil, community, and religious leaders who have been recognized as life members. The Diamond Life members include: Father Pat Gazo, Cynthia Powers, and Mamon Powers Jr. The Gold Life members include: Stephen Mays, Nate Cain, Claude Powers, Charlie Brown, Dr. Stephen Simpson, and Gerri Simpson. The Silver Life members include: Charles Alexander, Sharon Chambers, James Muhammad, Larry Dillon, Sandra Dillon, Reverend Curtis Whitaker, Dr. LaShawn Whittaker, Reverend Anita Marshall, Rinazor Williams III, Esq., Alfred Holmes, Sharon Haney, Jean Laurie Payne, Darian Collins, Braden Wilson, James Powell, Thomas Newsome, Ron Brewer, Linda Barnes-Caldwell, Marissa McDermott, Edward Lumpkin, Reverend Edward Turner, Roosevelt Haywood III, MacArthur Drake, Gordon Biffle, Richard Hardaway, Dolena Mack, Willie Miller Jr., Raymond Grady, Dr. Vincent Sevier, Dr. Angelique Brown, Shelly Majors, Matthew Doyle, Jana Bonds, Judge Clarence Murray, Vance Kennedy, Tim Caesar, Barbara Taliafero, Minnie Carter, Wendell Price, Frye Barnes, Reverend Dr. Virgil Woods, Florita Brown, Roy Hamilton, Dr. Marlon Mitchell, Milton Thaxton, and Reverend Regan Robinson.

The Youth Life members include: Bryce Carter, Brooklyn Carpenter, Justin Cain, Julia Powers, Nadia Baria, Issac Baria, Willie Miller III, Valencia Miller, Curtis Whitaker Jr., Imani Powers, Michael Ayden Walden, Kendall Jackson, Deondra Ann Briggs, Jazmine Neal, and...
Amya Myanna Luz Aviles, Marrel Tyler II, and Kelechi Greene.

Mr. Speaker, I ask you and my other distinguished colleagues to join me in paying tribute to the newest life members of the Gary branch of the NAACP, as well as Stephen Mays, the current Gary NAACP president, Cynthia and Mammon Powell Jr., whose Honorary Chairs, and all members of the organization for their extraordinary efforts and tremendous leadership. These outstanding men and women have worked tirelessly to improve the quality of life for all residents of Indiana’s First Congressional District, and for that they are to be commended.

HONORING ANDREW “ANDY” HYMAN

HON. JARED HUFFMAN
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 7, 2016

Mr. HUFFMAN. Mr. Speaker, I rise today to recognize Andrew “Andy” Hyman of Marin County, California, for his selection as the Trustee of the Year at the 2016 Golden Bell Awards Ceremony, presented by the Marin County Office of Education in collaboration with the Marin County School Board Association and other local civic organizations. A member of the Dixie School District Board of Trustees, Mr. Hyman has spent more than a decade advocating for and advising the district and its students.

As a member who served two terms as president of the Dixie School Board, Mr. Hyman has devoted thousands of hours on vital committees and efforts. He led a district-wide transportation committee to lower home-to-school transportation costs, and helped initiate green purchasing and recycling policies. Additionally, he led efforts to create the first district-wide anti-bullying policy, and has worked to improve nutrition in school lunches.

Mr. Hyman has been a consistent leader in our community across a range of issues affecting our school. From organizing rallies to working with local legislators, he has been a consistent and effective voice for our students and their opportunities for success.

The Golden Bell Awards celebrate public education in Marin County by recognizing outstanding teachers and supportive community partners. Each year, they select an exemplary educator, classified employee, teacher, and trustee for recognition.

Mr. Speaker, it is therefore fitting that we honor and thank Andrew “Andy” Hyman for his contributions to students and public education in Marin County and California.

HONORING THE LIFE OF MIKE PONTIUS

HON. CHERI BUSTOS
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 7, 2016

Mrs. BUSTOS. Mr. Speaker, I rise today to mourn the passing of Michael “Mike” Pontius, who served the city of Freeport, Illinois, as a firefighter for nearly 14 years before retiring due to injuries sustained on the job.

A dedicated firefighter and a loving husband and father, Mike had a warm and outgoing presence in his community. In addition to serving as a firefighter, he gave back to his alma mater, Aquin High School, throughout his life. When Mike wasn’t cheering for the Aquin Bulldogs, he was rooting on the Chicago Cubs and the Chicago Bears, as he was survived by his wife, Dawn, and his children, Josh, Jerek, Jordan, and Kirsten.

Mr. Speaker, as the wife of a sheriff, I know how important it is to support our first responders, and I am forever grateful for the service Mike provided to the Freeport community. While we commemorate Mike’s life, and his dedication to his family and community, my thoughts and prayers are with his loved ones during this difficult time.

TRIBUTE TO CALVIN W. MCELVAIN

HON. DAVID YOUNG
OF IOWA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 7, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Calvin W. McElvain of Des Moines, Iowa for earning the Gold Medal of Achievement Award of Iowa’s Royal Ranger Outpost Number 35. The Gold Medal of Achievement designation is the highest advancement rank in the Royal Ranger Outpost based at Christian Life Assembly of Des Moines.

To earn this Gold Medalist rank, Calvin McElvain completed 47 skill merits, 213 Bible lessons, and 35 hours of community service. Beyond those opportunities, Calvin also completed a service project by transforming the Christian Life Assembly Church’s modest fire ring into a first rate campsite with a mason fire ring and anchored benches.

Mr. Speaker, the example set by this young man and his supportive family and community demonstrates the rewards of hard work, dedication, and perseverance. I am honored to represent Calvin McElvain and his family in the United States Congress. I know that all of my colleagues in the U.S. House of Representatives will join me in congratulating him on obtaining the Gold Medal of Achievement ranking, and I wish him continued success in his future education and career.

PERSONAL EXPLANATION

HON. DOUG COLLINS
OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 7, 2016

Mr. COLLINS of Georgia. Mr. Speaker, on Roll Call No. 229 on motion to suspend the rules and pass H.R. 4889, the Zika Vector Control Act, I am not recorded because I was unavoidably detained. Had I been present, I would have voted YES.

Mr. Speaker, on Roll Call No. 235 on motion to suspend the rules and pass H.R. 5077, the Intelligence Authorization Act for Fiscal Year 2017, I am not recorded because I was unavoidably detained. Had I been present, I would have voted YES.

HONORING REVEREND PHARIS D. EVANS

HON. PETER J. VISCLOSKY
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 7, 2016

Mr. VISCLOSKY. Mr. Speaker, I am honored to stand before you and my colleagues today to congratulate Reverend Pharis D. Evans on his 55th anniversary as Pastor of Clark Road Missionary Baptist Church in Gary, Indiana. For his lifetime of leadership and tireless dedication to his congregation and to the community in Gary and beyond, he is worthy of the highest praise. In his honor, a celebration banquet hosted by Clark Road Missionary Baptist Church will take place on June 13, 2016.

Pharis Evans graduated from Haywood High School in Brownsville, Tennessee. As a young boy, his passion for theology grew from the church services he knew early on that he was destined to be a preacher. He studied theology at Chicago Baptist Institute and continued his studies at Calumet...
College of Saint Joseph in Whiting. It was on the first Sunday in April 1961, when Pharis D. Evans was first selected to lead Clark Road Missionary Baptist Church. For the past 55 years, he has administered spiritual guidance to a congregation that presently serves more than 900 parishioners. Pastor Evans’s impact throughout his ministry has been immeasurable, and those he has mentored can all attest to his generous nature. Throughout the years, he has been a tireless advocate for his church and the community. Since 1963, Pastor Evans has coordinated and maintained Radio Broadcast Outreach Ministry. From 2009 to the present, he has also served as “Spiritual Advisor” for the Baptist Ministers Conference of Gary and Vicinity, and in 2008, he was awarded the prestigious community service Drum Major Award by the Gary Frontiers Service Club. Additionally, Pastor Evans has served as President and Vice President of the Progressive National Baptist Convention for the state of Indiana and been a chaplain for the Gary Police Department. A passionate and proven leader, Pastor Evans has provided counsel for many young ministers in search of guidance. For his selfless devotion to aiding those in need of spiritual guidance, Pastor Evans is to be commended.

Reverend Evans’s exceptional dedication to the church and to his community is exceeded only by his devotion to his wonderful family. He and his beloved late wife, Ann, raised five wonderful children (one deceased), and have nine grandchildren (one deceased), and three great-grandchildren.

I am privileged and honored to call Pastor Evans my friend. More importantly, Reverend Pharis D. Evans has been a friend to all, the epitome of what we consider a Man of God. A man who has led a life we should all seek to emulate. His vision, his work, and his spirit have provided all of us with a guide to an improved and gentler future.

Mr. Speaker, I ask that you and my other distinguished colleagues join me in congratulating Pastor Evans on his 55th anniversary as Pastor of Clark Road Missionary Baptist Church. For his lifetime of leadership and selfless service to others, he is to be truly an inspiration to us all.

JOE ANDERSON
HON. ED PERLMUTTER
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 7, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Joe Anderson for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Joe Anderson is a 12th grader at Warren Tech North and received this award because of his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Joe Anderson is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Joe Anderson for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

IN CELEBRATION OF THE 50 YEAR REUNION OF THE DILLARD HIGH SCHOOL CLASS OF 1966

HON. ALCEE L. HASTINGS
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 7, 2016

Mr. HASTINGS. Mr. Speaker, I rise today to commemorate 50 years since the Class of 1966 graced the halls of Dillard High School in Fort Lauderdale, Florida.

Dillard has a storied past and a bright future. Originally established in 1907 as Colored School Number Eleven, its opening marked the beginning of monumental African American achievements in South Florida. At that time, Fort Lauderdale was a farming region where locals found it unnecessary to educate African Americans past the sixth grade.

Two decades later the school progressed under Principal Dr. Joseph A. Ely, who added more classes and sought to educate African American students past the sixth grade. He was also responsible for the school’s current name, a nod to James Harvey Dillard, a white educator from Virginia, who was a black education advocate.

In 1948, Dillard’s well-known jazz program was led by Julian Edwin “Cannonball” Adderley, who later became one of the best known jazz musicians in America. Adderley brought new life to the school and helped instill the importance of jazz in the students. He taught jazz when it had not yet been accepted as a classical art form, and while he was teaching jazz he was also teaching Bach and Beethoven.

Due to an expanding community, the high school grades were moved to a new facility at 2501 N.W. 11th Street in 1950, where the Class of ’66 attended and graduated. Dillard High School is now one of 62 high schools in the Broward County Public Schools and has become a magnet school open to all of Broward County, hosting three programs: Performing & Visual Arts where students collaborate and work with artists-in-residence, and have the privilege of working side-by-side with the professionals at the Broward Center for the Performing Arts, the Fort Lauderdale Museum of Art and other local arts organizations.

Emerging Computer Technology which offers a state-of-the-art technology curriculum that complements students’ core academic requirements utilizing computers and the latest technologies to develop higher level thinking skills, critical research and study, communication, and problem solving.

Digital Entrepreneurship Academy where students develop the essentials for successful business plan development, start-up and operation using digital arts, and using technology to create art, music, multimedia and animation.

Mr. Speaker, clearly all Panthers can be proud of the history and future of Dillard High School. I wholeheartedly congratulate those Panthers celebrating their 50th high school reunion on June 18, 2016, a joyous and spirited reunion.

IN RECOGNITION OF JIM PROCE ON EARNING THE AMERICAN PUBLIC WORKS ASSOCIATION PUBLIC WORKS LEADER AWARD

HON. PETE SESSIONS
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 7, 2016

Mr. SESSIONS. Mr. Speaker, I rise today to congratulate Jim Proce on earning the American Public Works Association Public Works Leader Award.

Each year the American Public Works Association recognizes 10 outstanding individuals who have made an indelible mark on their communities through their commitment to public service. This year, I have the distinct honor of representing one of the recipients, Jim Proce, the Assistant City Manager of Rowlett.

Jim’s commitment to his community and dedication to service has not gone unnoticed throughout his 32 years of service. During his career, he has earned many honors and awards including the National Community Involvement Award by the American Public Works Association, was named the State Public Works Employee of the Year by FACERS in 2010, is a Designated Public Works Leader Fellow by the Donald C. Stone Center for Leadership through the American Public Works Association, and is a member of the International City Management Association.

In his role as Assistant City Manager of Rowlett, Jim has excelled as a community leader and worked to implement strategic goals to strengthen the city and best serve the citizens of Rowlett. Throughout Jim’s years of service he has displayed an unwavering commitment to community and proved to be a distinguished leader in all of his endeavors.

I would like to offer Jim my heartiest congratulations on this immense accomplishment and thank him for his dedication to serving the great people of Rowlett, Texas.

TRIBUTE TO MEGAN ROBERTS
HON. DAVID YOUNG
OF IOWA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 7, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise to honor and congratulate Megan Roberts of Atlantic, Iowa, for her selection by the Young Professionals of Atlantic for the Young Professional Entrepreneur Award. Megan is associated with the Megan Roberts State Farm Agency.

Megan’s entrepreneurial spirit and involvement in a new start-up enterprise led to her selection for the award. Megan Roberts has a vision for leadership, highlighting community and civic responsibilities, a center of her business and personal life. She is focused on giving back to her community, offering her life experience and resources to assist with the improvement of Atlantic, all the while focusing on her future and career goals.

I applaud and congratulate Megan Roberts for earning this award. She is a shining example of hard work and dedication can affect the future of a community and business. I urge my colleagues in the U.S. House of Representatives to join me in congratulating
HONORING JILL McGEE
HON. BETO O’ROURKE
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 7, 2016

Mr. O’ROURKE. Mr. Speaker, I rise today to honor and recognize Jill McGee for her dedication and service to the El Paso community. As an elementary school teacher, Ms. McGee has stood out among her peers for her innovative teaching methods that empower and challenge her students.

A native of Lincoln, Nebraska, Jill McGee earned her Spanish undergraduate degree from North Park University in Chicago, Illinois and her Master’s degree in Bilingual Education from the University of Texas at El Paso. After graduating, Ms. McGee began her career as a teacher in the colonias of our sister city Ciudad Juarez, Mexico. Through her work in Ciudad Juarez, Ms. McGee has become fluent in Spanish and realized the importance of dual-language education. To this day, Ms. McGee often finds herself back in Ciudad Juarez where she continues to work several days a week with students from areas of extreme poverty.

More recently, Ms. McGee has worked over the past five years as a second grade elementary school teacher at Mesita Elementary, a dual-language elementary school in El Paso, Texas. At Mesita, she has incorporated the use of cutting edge technology in the classroom, such as computer coding and live broadcasting of her classes online, while also crafting a syllabus that challenges her students through problem-based learning.

To honor Jill McGee’s decade-plus teaching career and dedication to dual-language learning, the El Paso Independent School District recently recognized her as the 2016 Elementary School Teacher of the Year.

Jill McGee is an inspiration to the El Paso community, and I am honored to represent her.

HONORING KARRIE COULTER
HON. JARED HUFFMAN
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 7, 2016

Mr. HUFFMAN. Mr. Speaker, I rise today to recognize Karrie Coulter of Marin County, California, for her selection as the Teacher of the Year at the 2016 Golden Bell Awards Ceremony, presented by the Marin County Office of Education in collaboration with the Marin County School Board Association and other local civic organizations. Ms. Coulter has dedicated more than 15 years to educating students in San Rafael City Schools and is currently a 2nd grade teacher at Short Elementary School in San Rafael.

A skilled teacher and proven leader, Ms. Coulter helped shape the direction of Short when it reopened in 2012. The school uses the Guided Language Acquisition Design (GLAD) model to serve its students, an innovative approach that Ms. Coulter championed to better serve its multilingual students.

Ms. Coulter believes in the potential of each child, and works hard so they can achieve success. She sets a high bar in her classroom, while ensuring students feel respected and heard. Along with responding to individuals’ needs in the classroom, she also employs data analysis and evaluates patterns outside of class to better track and promote students’ progress.

The Golden Bell Awards celebrate public education in Marin County by recognizing outstanding teachers and supportive community partners. Each year, they select an exemplary educator, classified employee, teacher, and trustee for recognition.

Mr. Speaker, it is therefore fitting that we honor and thank Karrie Coulter for her contributions to students and public education in Marin County and California.

IN HONOR OF H.R. 4425, THE DESIGNATION OF THE “EUGENE J. McCARTHY POST OFFICE” IN COLLEGEVILLE, MINNESOTA
HON. BETTY MCCOLLUM
OF MINNESOTA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 7, 2016

Ms. MCCOLLUM. Mr. Speaker, I rise to support H.R. 4425 and honor the late Senator Eugene McCarthy, from Minnesota. H.R. 4425 will rename the postal facility located at 110 East Powerhouse Road in Collegeville, Minnesota, as the “Eugene J. McCarthy Post Office.”

Before becoming a two-term Senator for the great state of Minnesota, Senator McCarthy was one of my predecessors, representing the people of the 4th District of Minnesota. In both the House and the Senate, Senator McCarthy took pride in representing Minnesota and was widely recognized for his collegiality and passion for good governance. Perhaps President Lyndon B. Johnson said it best when he referred to Senator McCarthy as “one of those uncommon men who puts his courage in the service of his country, and whose eloquence and energy are at the side of what is right and good.”

As a graduate of both Saint John’s Preparatory School and Saint John’s University in Collegeville, Minnesota, I am sure Senator McCarthy would be happy to know that the Collegeville Post Office will now forever bear his name.

IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 7, 2016

LEAH VOLZ
HON. ED PERLMUTTER
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 7, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Leah Volz for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Leah Volz is a 12th grader at Warren Tech North and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Leah Volz is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Leah Volz for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 7, 2016

HON. MIKE COFFMAN
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 7, 2016

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was $10,626,877,048,913.08.

Today, it is $19,214,046,061,181.20. We’ve added $8,587,637,015,268.12 to our debt in 6 years. This is over $7.5 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 7, 2016

HON. DAVID YOUNG
OF IOWA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 7, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor Kathleen Ricker of Des Moines, Iowa on the very special occasion of her retirement after 48 years of pioneering for students, with many of those years as principal of Bergman Academy in Des Moines, Iowa. She will retire in June 2016 and her impact will be reverberating for generations to come.

Mrs. Ricker came to the Des Moines Jewish Academy in 1977 to develop the school because of her proven track record for recognizing and nurturing academic excellence in young Iowans. In 2004, the Des Moines Jewish Academy merged with another private school to form The Academy, teaching 65 students. Years later, the Academy outgrew its home at the Tifereth Israel Synagogue in Des Moines, relocating and taking on the new name of Bergman Academy. The Bergman Academy now educates over 250 students.

Kathleen Ricker has guided students to become well-rounded citizens, telling her students, “To whom much is given, much is expected.” This spirit of philanthropy has been realized in school service projects, with students and their families contributing to organizations such as the Ronald McDonald House, the Animal Rescue League of Iowa, Food Bank of Iowa, UNICEF, Meals from the Heartland and many more charitable and philanthropic organizations. Academically, her pupils have reached their potential during their Bergman Academy years.

IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 7, 2016

LEAH VOLZ
HON. ED PERLMUTTER
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 7, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Leah Volz for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Leah Volz is a 12th grader at Warren Tech North and received this award because her determination and hard work have allowed her to overcome adversities.
EPA's ability to monitor chemicals in imported products. Federal policy should be a floor, not a ceiling, for public health and safety. States, like my Minnesota, have led the way in creating chemical safety standards that protect their residents. Last year in Minnesota, we took an important step toward protecting children and firefighters' health when the legislature passed a law to prohibit toxic flame retardants.

For my part, I will continue to be an advocate for reform that protects public health, not special interests like the chemical industry.

HONORING THE ROTARY CLUB OF ALBUQUERQUE

HON. MICHELLE LJUJAN GRISHAM
OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 7, 2016

Ms. MICHELLE LJUJAN GRISHAM of New Mexico. Mr. Speaker, I rise today to acknowledge the 100th Anniversary of the Rotary Club of Albuquerque, which was chartered on July 1, 1916, with 31 charter members embracing the Rotary International motto of Service Above Self.

Community service projects have been a central theme throughout the club's history. Among the first efforts of the Albuquerque Club was "boosting" the climate and health facilities of the city, at a time when tuberculosis sanatoriums were a leading industry. Rotarians promoted and supported good roads for Albuquerque when it became apparent that the automobile was imperative to future growth. The Club helped direct attention to the recurring problem of flooding from the Rio Grande, and generated local support for the institution of the Middle Rio Grande Conservancy District, which continues to deal with a variety of critical water issues today.

Over the years, the Club has played an important role in the expansion of cultural life in Albuquerque. Members launched the Symphony Orchestra in 1932, which is now the New Mexico Philharmonic that has delighted and inspired audiences for over half a century. The Club also helped sustain the Albuquerque Little Theater for nearly as long. Community service projects have been a central theme throughout the club's history.

In more recent years, the Rotary Club co-sponsored the Grand Opening of the New Mexico Natural History Museum and provided major sponsorship for the "Children's Fantasy Garden" at the Albuquerque Biological Park. Members are currently leading a Signature Centennial Project to provide $500,000 to the Explorer! Museum for the "Working Together to Build a Village" project, which will lead participants to experiment with science, engineering, architecture and the daily application of the construction process, encouraging an appreciation for STEM.

As it completes its first century of service in our city, the Rotary Club of Albuquerque will continue to play a leading role in helping solve problems and improve the community. The rooted and ethical formation of Rotary is timeless, and will continue to inspire members with a sense of civic pride and service for many years to come.
her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Mariah Green is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to earn and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Mariah Green for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

DEATH OF JOHN MULLINIX

HON. DOUG COLLINS
OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 7, 2016

Mr. COLLINS of Georgia. Mr. Speaker, I rise today with great sorrow as Georgia’s Ninth District mourns the loss of one of its great leaders.

John Mullinix epitomized the North Georgia values of my district. His passing on May 22nd robbed us of a man who truly valued patriotism and the well-being of our great nation.

John loved the Constitution as much as he loved the beautiful mountains of Fannin County that he called home. It was in those mountains that John showed what service to your community truly means.

John never hesitated to give his time when his community was in need. He served as a volunteer firefighter, a guest columnist for his local newspaper, and Chairman of the Fannin County Tea Party Patriots.

In our time of divisive partisanship and vicious personal attacks, John provided a refreshing return to positive politics. His motto was that you could disagree without being disagreeable.

John held to his political beliefs with the same sincerity with which he lived his life. His ideal time to discuss politics was over some good Georgia barbeque.

I join the people of Fannin County and the Ninth District of Georgia in offering our thoughts and prayers to his wife, Janet, mother, Elizabeth, and siblings; Patricia, Stephen, Michael, and Mark. We have lost a man that will never be replaced.

TRIBUTE TO ALEXANDER REED

HON. DAVID YOUNG
OF IOWA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 7, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Alexander Reed of Des Moines, Iowa for earning the Gold Medal of Achievement award of Iowa’s Royal Ranger Outpost Number 35. The Gold Medal of Achievement designation is the highest advancement rank in the Royal Ranger Outpost based at Christian Life Assembly of Des Moines.

To earn this Gold Medalist rank, Alexander Reed completed 56 skill merits, 212 Bible lessons, and over 58 hours of community service. Beyond those opportunities, Alexander also completed a service project by honoring the community and spirit of patriotism by hosting a U.S. flag retirement ceremony and replacing those retired U.S. flags with new U.S. flags which were given to local organizations.

Mr. Speaker, the example set by this young man and his supportive family and community demonstrates the rewards of hard work, dedication, and perseverance. I am honored to represent Alexander Reed and his family in the United States Congress. I know that all of my colleagues in the House of Representatives will join me in congratulating Alex on obtaining the Gold Medal of Achievement ranking, and I wish him continued success in his future education and career.

HONORING THE 100TH ANNIVERSARY OF KIWANIS CLUB OF AURORA

HON. BILL FOSTER
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 7, 2016

Mr. FOSTER. Mr. Speaker, I rise today in honor of the 100th anniversary of the Kiwanis Club of Aurora. Since 1916, Kiwanis Club of Aurora has been dedicated to serving children locally and globally. Kiwanis Club of Aurora was the first club in the Illinois-Eastern Iowa District and the twenty-first club chartered in the world.

With their motto, “Serving the Children of the World,” Kiwanis Club of Aurora has done just that, improving the lives of children across the world, one child and one community at a time. Kiwanis Club of Aurora’s largest service project, the annual Coats for Kids drive, provides over 2,000 winter coats to needy children in the Aurora area.

Mr. Speaker, I ask my colleagues to join me in commemorating the 100th anniversary of Kiwanis Club of Aurora as they continue their long tradition of fellowship and service.

INTRODUCTION OF THE “QUADRENNIAL HOMELAND SECURITY REVIEW TECHNICAL CORRECTION ACT OF 2016”

HON. BONNIE WATSON COLEMAN
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 7, 2016

Mrs. WATSON COLEMAN. Mr. Speaker, I am proud to introduce legislation today titled the “Quadrennial Homeland Security Review Technical Correction Act of 2016.”

In 2007, the committee on Homeland Security passed Public Law 110-53, the Implementing Recommendations of the 9/11 Commission Act. Under this Act, the Department of Homeland Security is required to produce every four years a unified, strategic framework for homeland security missions and goals, known as the Quadrennial Homeland Security Review (QHSR). The goal of the QHSR is to provide a comprehensive, assessment and analysis of the threats facing the homeland. Thus far, the Department has produced two reviews, in 2010 and 2014. The Government Accountability Office assessed each review extensively and determined that stakeholder engagement and documentation were among the areas for improvement in future QHSRs.


Additionally, my bill requires the Department to use a risk assessment when determining the homeland security missions and threats. When interacting with outside agencies to gather information on sources and strategies, the Department must do so to the extent practical for the Department to gather the information needed.

Finally, the Quadrennial Homeland Security Review Technical Correction Act of 2016 requires DHS to retain all written communications through technology, online communication, in-person discussions and the interagency process and all information on how the communications and feedback informed the development of the review. The Secretary should also retain information regarding the risk assessment including data used to generate the risk assessment, sources of information to generate the risk assessment, and information on assumptions, weighing factors, and subjective judgments used to generate the risk assessment.

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

EXpressING GRATITUDE TO THE INDIVIDUALS WHO ORGANIZE AND RUN KANSAS HONOR FLIGHT

HON. MIKE S. POMPEO
OF KANSAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 7, 2016

Mr. POMPEO. Mr. Speaker, in May of 2012 the Kansas Honor Flight took its first group of the Greatest Generation to Washington, D.C. Now, four years later, almost 950 World War II and Korean War Veterans have been able to visit the nation’s capital to see their memorials and honor friends who made the ultimate sacrifice. This month, on May 4th, the 35th Kansas Honor Flight touched down in Washington, D.C.

These flights would not happen without amazing volunteers. The work Mike and Connie VanCampen have done to honor these veterans and offer critical improvements to the admiration Kansans, and all Americans, have for the men and women who serve. The VanCampens are not alone in this effort. A
network of dedicated patriots whose selfless sacrifice on behalf of fellow Kansans mirrors that of the veterans they serve has worked on rearranging these flights. These volunteers include another husband and wife team, Lowell and Joyce Downey, whose devotion to our Kansans participants is inspiring.

In addition to volunteers, I would like to thank the family members that accompany these veterans to Washington. I have met many of these family members as they escort their hero around the World War II memorial.

The pure joy and admiration on the faces of these family members as they experience the memorial for the first time reassures me that generations to come will understand and reverence the sacrifices of our nation’s military members past and present. From the bottom of my heart I say thank you. Thank you for the long hours. Thank you for your dedication. Thank you Kansas Honor Flight.

TRIBUTE TO PERCIVAL SCIENTIFIC, INC.

HON. DAVID YOUNG
OF IOWA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 7, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate an exemplary Iowa company, Percival Scientific, Inc., as they are recognized with an “E” Award, the United States Government’s highest honor to an American exporter and export service provider.

The United States Department of Commerce notified Percival Scientific, Inc. of the award, citing the company’s “economic dynamism and leadership,” and acknowledging that Percival Scientific, Inc.’s officials “recognize the importance exports have on creating jobs and strengthening the United States economy.” Percival Scientific, Inc. is only one of 123 recipients of the President’s “E” Award.

In 1961, President John F. Kennedy, Jr. created this award to recognize companies who support the expansion of U.S. exports. Percival Scientific, Inc. has been in business for over 125 years, established in 1886 in Des Moines, Iowa, starting as Percival Manufacturing. The company manufactured and sold butcher tools, machinery and fixtures. As refrigeration came into being, Percival Manufacturing received a patent to manufacture a complete line of refrigerated display units. Since 2000, the company remains housed in a 60,000-square feet facility in Perry, Iowa, employing hundreds of central Iowans and contributing to the local and global economy.

Mr. Speaker, over the last century, Percival Scientific, Inc. has left an indelible mark on the manufacturing export industry in Iowa and around the world. Their innovation and forward thinking in the creation of state-of-the-art refrigeration chambers is recognized and admired worldwide among their peers. I commend Percival Scientific, Inc. and their employees for a job well done. I also ask that my colleagues in the United States House of Representatives join me in honoring this company for their commitment to American manufacturing, to the state of Iowa, and to the state of Iowa. I wish Percival Scientific, Inc. and their employees nothing but continued success in their future endeavors.

RECOGNIZING NORTHWEST IOWA’S NEWLY NATURALIZED CITIZENS

HON. PETER J. VISCOSKY
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 7, 2016

Mr. VISCOSKY. Mr. Speaker, it is with great pleasure and sincerity that I take this time to congratulate thirty-one individuals who will take their citizenship oath Friday, June 10, 2016. This memorable occasion, presided over by Magistrate Judge Andrew Rodovich, will be held at the United States Courthouse and Federal Building in Hammond, Indiana.

America is a country founded by immigrants. From its beginning, settlers have come from countries around the world to the United States in search of better lives for their families. Oath ceremonies are a shining example of what is so great about the United States of America—that people from all over the world can come together and unite as members of a free, democratic nation. These individuals realize that nowhere else in the world offers a better opportunity for success than here in America.

On June 10, 2016, the following people, representing many nations throughout the world, will take their oaths of citizenship in Hammond, Indiana: Joseph Nederlo Ndongu, Kareema Abbas, Ismail Khazaal, Waqar Hikm, Mahmoud Jabara, Guadalupe Garcia Coria, Joseph Githae Njorge, Lawrence George Cartwright, Sridhar Meda, Hellen Wangari Gathesha, Isabel Patena Pascua, Haopeng Xie, Leslie Sorayda Lopez, Mario Vazquez Sanchez, Michelle Patena Santarromana, Verica Prentoska, Esmerelda Ortiz, Sridhar Punukollu, Marisa Gramosi, Tasuli Gramosi, Maria Delgado, Bharath Ganesh Babu, Maria Angelica Garcia, Juvenal Gonzalez, Fabiola Guerrero Acolloza, John Donghyun Kim, Ivy Cong Lu, Madhuri Punukollu, Emilio Soria, Alicia Tapia, Ernesto Abraham Velazquez, and Joseph Kamau Njorge Venanzio.

Although each individual has sought to become a citizen of the United States for his or her own reasons, be it for education, occupation, or to offer their loved ones better lives, each is inspired by the fact that the United States of America is, as Abraham Lincoln described it, “a country for the people, by the people, and for the people.” They realize that the United States is truly a free nation. By seeking American citizenship, they have made the decision that they want to live in a place where, as guaranteed by the First Amendment of the Constitution, they can practice religion as they choose, speak their minds without fear of punishment, and assemble in peaceful protest should they choose to do so.

Mr. Speaker, I respectfully ask you and my other distinguished colleagues to join me in congratulating these individuals who will become citizens of the United States of America on June 10, 2016. They, too, are American citizens; they uphold the inalienable rights to life, liberty, and the pursuit of happiness. We, as a free and democratic nation, congratulate them and welcome them.

MORGAN RASMUSSEN
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 7, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Morgan Rasmussen for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Morgan Rasmussen is a 12th grader at Stanley Lake High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Morgan Rasmussen is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Morgan Rasmussen for winning the Arvada Wheat Ridge Service Ambassadors for Youth Award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.
Mr. HIGGINS. Mr. Speaker, I stand before you today to celebrate the 20th Anniversary of VOICE-Buffalo, a faith-based community of urban and suburban congregations throughout the County of Erie that has more than exceeded its mission to be the “Voice of the Voiceless.”

In 1996 VOICE-Buffalo Clergy identified congregation-based organization as the strategy for breaking down the barriers that divide neighborhoods, our city and region. Tirelessly dedicated to creating a culture of responsibility and accountability for what happens in our community, VOICE-Buffalo continues to build the capacity of people to act on their concerns and to strengthen and connect institutions to individuals.

Today, 55 interfaith and diverse congregations, unions and other community organizations that share common values, focus on bringing local-level issues that profoundly impact the lives of residents to the forefront. VOICE-Buffalo members believe in the positive progress that can be achieved through rallying local leaders, congregations and the private sector together to hold those in power accountable for making decisions that are in the best interest of the community.

For two decades, VOICE’s mission has taken root in those committed to the cause of social and economic justice and whose training enhances engagement in the public life of their congregations and communities. This committed membership acts locally to connect people, build public relationships, address issues in their church neighborhoods and has built a regional organization with the capacity to address policies that impact individuals, families and communities.

Committed to its long-term systemic change, VOICE-Buffalo has achieved tangible and transformative success with its push to increase health and public safety with the development of a city-wide uniform garbage tote system, the implementation of Project Holy Ground to strengthen congregations, engage and connect people to the community and bring stability to neighborhoods. In 2004, VOICE-Buffalo called for targeted demolition of unsafe properties that led to collaboration with the city of Buffalo to develop a user friendly manual on housing inspections and procedures.

Recent successes have been made in public transportation and in bringing methods of Restorative Justice to Erie County. VOICE sponsorship has boosted training for more than 50 “peace circle keepers” and the establishment of faith-based Peace Centers across the city.

In March of this year, I had the privilege of working with VOICE-Buffalo, NOAH (Niagara Organizing Alliance for Hope) and its joint federation, Garnaliew WNY (Western New York) in welcoming U.S. Labor Secretary Thomas Perez to his hometown of Buffalo, New York. Secretary Perez accepted the invitation extended by VOICE-Buffalo President Pastor James Giles, NOAH President Rev. JoAnne Scott and Paul Vukelic, CEO of Try-It Distributing, for a public dialogue on workforce diversity and training strategies.

Secretary Perez addressed a packed auditorium at Bennett High School outlining the Federal Government’s plan to provide resources to fill the existing gaps by connecting people in need to the pipeline of opportunity. There has been an ideological gap to develop innovative approaches has been embraced by VOICE-Buffalo and its community partners who continue to use their expertise to identify the underlying issues that prevent hiring and advocate for sustainability measures.

There is universal acclaim for Buffalo’s renaissance but the true measure of success will be when all residents are able to participate in the rebuilding of Western New York. VOICE-Buffalo has accepted that challenge and is leading the way to ensure that a pathway to participation is in place and that it is sustainable.

The process of creating positive social change is never easy; it takes courage, faith, patience and vision. And that is why I rise today in the House of Representatives to acknowledge with admiration and appreciation the courage, faith, patience and vision of VOICE-Buffalo. More than 400 others joined together in the Golden Ballroom of Statler City to celebrate the 20th Anniversary of VOICE-Buffalo on June 2, 2016 and to give thanks for the contributions of Father Harry Grace, Rev. Will Brown (posthumously), Marianna Rathman, Murray Holman, Robert Spencer and Amy Vossen Vukelic.

Thank you for this opportunity to congratulate VOICE-Buffalo for its accomplishments. I would like to extend my wishes for continued success. By standing together, we can “be the people we’ve been waiting for” that make a difference in our community and set “Our Path to Power.”

HONORING JIMMY SMITH

HON. JARED HUFFMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 7, 2016

Mr. HUFFMAN. Mr. Speaker, I rise today along with Representative MIKE THOMPSON in memory of our friend, Jimmy Smith, who passed away on May 24, 2016, at the age of 67. A third generation Humboldt County native, Jimmy was woven into the fabric of California’s North Coast as a commercial fisherman, avid outdoorsman and dedicated public servant, and community leader.

Born in Eureka on July 11, 1948, to James L. Smith and Jean Wilhey, Jimmy graduated from Eureka High in 1966. In 1972, Jimmy bought a salmon and crab fishing boat, which he operated out of Humboldt Bay for 30 years. He became a respected and expert fisherman known for his uncanny ability to locate salmon. Jimmy was also a lifelong hunter with a passion for ducks and geese, especially black brant.

During his time as a commercial fisherman, Jimmy also volunteered and worked on numerous fisheries and wildlife surveys throughout the area, and served on the U.S. Forest Service, U.S. Fish & Wildlife Service, National Marine Fisheries Service, California Department of Fish & Game, California Waterfowl Association, and Humboldt Fish Action Council. He co-chaired the Task Force for the Humboldt Bay Management Plan, served as the fishing industry representative to the Klamath River Basin Fisheries Technical Work Group, and was appointed by Interior Secretary Babbitt to the Trinity Task Force.

In 1995, Jimmy was elected to the Humboldt Bay Harbor, Recreation and Conservation District and served until 2000 where he worked with the U.S. Army Corps of Engineers to deepen Humboldt Bay to improve safety and accommodate deep-draft ships. Jimmy was then elected to the Humboldt County Board of Supervisors in 2000, a position he served in for 12 years. His achievements, which he always credited to those he worked with, are too many to record. Among them were working tirelessly to clean up the South Spit of Humboldt Bay—now the Mike Thompson Wildlife Area; helping broker agreements meant to tear out the Klamath River’s fish-blocking dams; and efforts to improve flows on the Eel River and protect fisheries in the Klamath, Trinity and Eel rivers. During his term as supervisor, Jimmy was a primary visionary and co-founder of the seven-county North Coast Integrated Regional Water Management Plan (now the North Coast Resource Partnership) and the Five-Counties Salmonid Conservation Program.

Jimmy was named National Fisherman Magazine Highliner of the Year in 1983 and received numerous other recognitions, including the John Pelnar Commercial Fisherman Award in 1984 and awards from the U.S. Fish & Wildlife Service, California Waterfowl Association, U.S. Coast Guard, Eureka Chamber of Commerce Elk's Club, and the Humboldt County League of Women Voters. He was a member and the chair of the Commercial Salmon Trollers Advisory Committee and California Salmon Stamp Committee.

Jimmy Smith was a champion of the North Coast and the conservation of its natural resources. He had a profound impact on so many people, often serving as a valued friend, partner and mentor. He quietly led by example and earned his reputation as a true gentleman known for creating partnerships, responsive leadership, treating everyone with respect, generosity of spirit, kindness, and integrity. Those who knew him best appreciated his witty sense of humor and love for teasing those he liked.

Jimmy is survived by his soul mate and wife of more than 40 years, Jacque; his son Gary; his granddaughters Shawni Chrislock and her husband Kohl, and McKayla Smith; his sisters Laurie Smith and Marnie Carr; and nieces, nephews and cousins. He also leaves behind many friends who loved him and will miss him dearly.

Few are as beloved and widely respected as Jimmy Smith, who made such a difference in the lives of so many and in his community. We both considered him a friend and relied on him for his wise counsel, as did our staffs and our colleagues in state and local government. Mr. Speaker, it is fitting that we honor Jimmy today for his decades of commitment to the North Coast and express our deepest appreciation for his friendship and service. His presence will be sorely missed and his legacy not soon forgotten.
HONORING DIRECTOR ELIZABETH JOYCE FREEMAN

HON. JEFF DENHAM
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 7, 2016

Mr. DENHAM. Mr. Speaker, I rise today with Congressman McNERNEY and Congressman SWALWELL to acknowledge and honor Director Elizabeth Joyce Freeman for her many years of service to the Palo Alto Veteran Affairs health care system. Director Freeman has worked nobly in serving veterans since 1983, and after 33 years of honorable service to the VA she has announced her retirement on June 7, 2016.

Graduating from the University of Notre Dame in 1983, Ms. Freeman obtained her Bachelor of Science degree in Civil Engineering. She returned to school in 1987 at Louisiana Tech University where she graduated with her Master’s Degree in Business Administration in 1992.

In 1983, Ms. Freeman’s began her extensive career with the VA as a Resident Engineer at the VA Medical Center in Oklahoma City. She moved up the ranks quickly and became the Senior Resident Engineer in Oklahoma City and later moved to Shreveport, Louisiana. Other positions she held with the VA include the following: Project Manager of the VA Central Office Southern Region; Health System Administrator Trainee of the VA Palo Alto Health Care System; Chief Operating Officer of the VA Sierra Pacific Network Office in San Francisco, California; Associate Director of the VA Palo Alto Health Care System; and Director of the VA Palo Alto Health Care System.

In 2001, Ms. Freeman was appointed to Director of the VA Palo Alto Health Care System, and since then has efficiently and successfully overseen the complex organization. In her capacity as Director she is tasked with overseeing an annual budget of over $1 billion, a capital portfolio of $2.6 billion, and more than 7,000 staff and volunteers.

In addition to Ms. Freeman’s numerous professional achievements, we would like to highlight some of the work that Ms. Freeman did outside the VA Office. She served on many boards and committees, such as the Palo Alto Veterans Institute for Research and the Quality Board, Patient Care, and Patient Experience Committee of the El Camino Hospital Board. She was a member of the California Hospital Association’s Santa Clara County Section, and served on the Board of Directors for the Hospital Council in 2006. She should be commended for her outstanding involvement in the community.

The abundance of awards Ms. Freeman has received demonstrates her exceptional leadership and proven work ethic. Ms. Freeman received the Presidential Rank Award at the meritorious level in 2005 and the distinguished level in 2009, she was a recipient of the Leadership VA Senior Executive Leadership Award. She received the VA Alumni Association’s Honorary Leadership Award in 2005, and was named one of the top 100 influential women in Silicon Valley.

Mr. Speaker, please join me in honoring and recognizing Director Elizabeth Freeman’s leadership that brought invaluable institutional knowledge to the VA Palo Alto Health Care System. We thank her for her unwavering leadership, devoted service and contributions on behalf of the community and the Nation.

TRIBUTE TO EAGLE SCOUT BRYCE NORMAN BERTHUSEN

HON. DAVID YOUNG
OF IOWA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 7, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Bryce Norman Berthusen of Waukee, Iowa for achieving the rank of Eagle Scout. Bryce is a member of Boy Scout Troop 178. The Eagle Scout designation is the highest advancement rank in scouting. Approximately two percent of Boy Scouts earn the Eagle Scout Award. The award is a performance-based achievement with high standards that have been well maintained over the past century.

To earn this recognition, a Boy Scout is obligated to pass specific tests that are organized by requirements and merit badges, as well as completing an Eagle Scout Project to benefit the community. For Bryce’s project, he designed and constructed outdoor fitness stations at the local Waukee YMCA. Bryce is a freshman at Waukee High School with a great interest in science, engineering and music. He is also on the Waukee High School baseball team and spends time with his church’s youth group.

The work ethic Bryce has shown in his Eagle Scout Project and every other project leading up to his Eagle Scout rank, speaks volumes about his commitment to serving a cause greater than himself and assisting his community.

Mr. Speaker, the example set by this young man and his supportive family and community demonstrates the rewards of hard work, dedication, and perseverance. I am honored to represent Bryce Norman Berthusen and his family in the United States Congress. I know that all of my colleagues in the U.S. House of Representatives will join me in congratulating him on obtaining the Eagle Scout ranking, and I wish him continued success in his future education and career.

IN RECOGNITION OF THE 50TH ANNIVERSARY OF THE FELLOWSHIP CHAPEL

HON. DEBBIE DINGELL
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 7, 2016

Mrs. DINGELL. Mr. Speaker, I rise today to recognize FellowShip Chapel on their 50th anniversary and wish them many more years of success.

MARIYA PEREZ
HON. ED PERLMUTTER
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 7, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Mariya Perez for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Mariya Perez is a 12th grader at Wheat Ridge High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Mariya Perez is exemplary of the type of achievement that can be attained with hard work and perseverance. It is exemplified by every level who strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Mariya Perez for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.
TRIBUTE TO JIM O’BRIEN

HON. RODNEY DAVIS
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 7, 2016

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today to remember a wonderful neighbor and friend, Jim O’Brien, who passed away over the weekend after a brave battle with cancer.

For many years, Jim and his wife Barb lived in Taylorville, always bringing smiles to the faces in town. My daughter, Toryn, loved the pink house he and Barb lived in with their Yorkie, Maggie.

What I will remember most about Jim is his kindness and generosity. Driven by faith, family, and community, Jim spent nearly all of his time serving others. He was an active member of Trinity Lutheran Church in Taylorville, coached Little League, delivered Meals on Wheels, and served as an after-school mentor for children. When Taylorville opened its SHADOW home, a residential faith-based program for women and children, Jim dedicated much of his time making the home a comfortable place for those in need.

In his free time, Jim served as the president of the park district board and frequently attended high school basketball and football games, cheering on the Tornadoes whenever he could.

There is no doubt that Jim made Taylorville a wonderful place to call home. His love for the community and his service to others will always be remembered. He will be greatly missed by me, my family, and by all those who knew him. My thoughts and prayers are with his wife, Barb, and their family.

HONORING THE NOMINEES FOR KANE COUNTY CHIEFS OF POLICE ASSOCIATION’S 2015 LOUIS SPUHLER OFFICER OF THE YEAR FOR KANE COUNTY AWARD

HON. BILL FOSTER
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 7, 2016

Mr. FOSTER. Mr. Speaker, I rise today to recognize the nominees for the 2015 Kane County Chiefs of Police Association’s Louis Spuhler Officer of the Year for Kane County Award.

The award, presented by the Batavia Moose Lodge Number 682 and the Kane County Chiefs of Police Association, recognizes the outstanding achievements of police officers who protect our community. The men and women who wear the badge provide our families with security while putting their own lives on the line and deserve our admiration and thanks.

I would like to congratulate the winner of the 2015 Louis Spuhler Officer of the Year for Kane County, Officer Dean M. Tucker, as well as his fellow nominees: Sergeant Elizabeth Palko, Lieutenant Brian McCarty, Lieutenant Anthony Gorski, Officer Ronald F. McNeef, Sergeant Eric Bowers, Officer Erika Stover, Officer Justin Howe, Officer Chris Potthoff, Officer Mark Skorup, Trooper Gregory Melzer, and Detective Andrew Houghton.

Mr. Speaker, I ask my colleagues to join me in congratulating the nominees for the 2015 Louis Spuhler Officer of the Year for Kane County Award and thanking them for their continued dedication to the safety and security of our community.

TRIBUTE TO DOROTHY AND BILL HARPER

HON. DAVID YOUNG
OF IOWA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 7, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor Dorothy and Bill Harper of Peru, Iowa, on the very special occasion of their 60th wedding anniversary.

Bill and Dorothy’s lifelong commitment to each other truly embodies Iowa values. As they reflect on their 60th anniversary, may their commitment grow even stronger as they continue to love, cherish, and honor one another for many years to come.

I commend this great couple on their 60th year together and I wish them many more memories. I know my colleagues in the United States House of Representatives will join me in congratulating them on this momentous occasion.

IN RECOGNITION OF GREGORY STEVENS, A DISTINGUISHED MEMBER OF THE GARLAND POLICE DEPARTMENT

HON. PETE SESSIONS
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 7, 2016

Mr. SESSIONS. Mr. Speaker, I rise today to recognize a distinguished member of the Garland Police Department, Officer Gregory Stevens, for receiving the Medal of Valor at the White House. On May 3, 2015, two gunmen opened fire at an event in Garland with the sole intent of harming and taking the lives of every single person inside. Luckily, Officer Stevens was standing guard that night. As the shooters opened fire on the auditorium, Officer Stevens swiftly acted to protect the people of Garland from what could have been a devastating situation. His actions not only saved countless innocent lives, they also sent a clear message that Texans will not stand down in the face of terror.

I am extremely proud to have such exceptional men and women who faithfully serve and protect our communities. Officer Stevens, thank you for your selfless service and your unwavering commitment to protect the wonderful people of North Texas. God Bless our Police Officers, God Bless Texas, and God Bless America.

HONORING MICHAEL P. REESE

HON. BETO O’ROURKE
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 7, 2016

Mr. O’ROURKE. Mr. Speaker, today I rise to recognize and honor Michael P. Reese for his extraordinary contributions to the community of El Paso and honorable service to our nation. Mr. Reese stands apart for his distinctive service as a teacher in the El Paso community and soldier for the United States Army.

Born in Omaha, Nebraska, in 1979, Michael P. Reese has dedicated both his life and career to the service of others. After graduating from the Texas Lutheran University in 2001, Mr. Reese worked as a counselor to troubled youth at a therapeutic wilderness camp in Lockhart, Texas. In 2003, he joined the United States Army, where he served honorably through 2005. During his service, Mr. Reese was stationed at Fort Hood in Killeen, Texas and deployed to Iraq from 2004 to 2005 with the First Brigade Combat Team of the First Cavalry Division. While deployed, Mr. Reese earned the Combat Medical Badge for satisfactorily performing medical duties while his unit was engaged in ground combat.

After completing his term of enlistment, Michael Reese moved to El Paso when he was accepted into the University of Texas at El Paso’s History Graduate Program. Since graduating in 2009, Mr. Reese has worked as a high school teacher in El Paso and earned several awards for his refusal to dumb down challenging issues and ability to bring out the best in his students, including Campus Teacher of the Year at Andress High School.

Michael P. Reese’s creative use of technology to inspire his students and encourage discussion, exemplifies the vision required to educate the youth of El Paso in the 21st century. This year, the El Paso Independent School District named Mr. Reese Secondary Teacher of the Year for his work as a Social Studies and Broadcast Journalism teacher at El Paso High School.

Michael P. Reese’s commitment to helping others is an inspiration to the El Paso community. I am honored to recognize him for his service to our country both in the military and classroom.

HONORING ROMAN MAZUR ON HIS COMPANY’S ANNUAL DANCE FESTIVAL

HON. ROBERT J. DOLD
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 7, 2016

Mr. DOLD. Mr. Speaker, I am honored today to recognize Roman Mazur on bringing his dance company’s annual dance festival, this year entitled, “Melodies from My Grandmother’s Chest,” to the Theatre of Buffalo Grove Community Art Center on the weekend of May 28th. I’m excited to convey my support for a vibrant cultural event hosted in the center of my district.

The tenth congressional district is a hub of cultural diversity, and events like Mr. Mazur’s Dance Festival encapsulate this. The Festival highlights the hard work, creative endurance, and dedication of veteran dancers as they bring the rich tradition of 1930s and 40s dancing and music to the audience.

It is truly my pleasure to commend Mr. Mazur on many years of outstanding work with the Mazur Dance School and his company on the Festival, and wish him the best of luck in all of his future endeavors.
Tribute to Darlene and Dwayne Henrichs

Hon. David Young
Of Iowa
In the House of Representatives
Tuesday, June 7, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor Darlene and Dwayne Henrichs of Thayer, Iowa, on the very special occasion of their 65th wedding anniversary. They were married on June 3, 1951. Dwayne’s lifelong commitment to each other, their children, and their grandchildren truly embodies Iowa values. As they reflect on their 65th anniversary, may their commitment grow even stronger as they continue to love, cherish, and honor one another for many years to come.

I commend this great couple on their 65th year together and I wish them many more memories. I know my colleagues in the United States House of Representatives will join me in congratulating them on this momentous occasion.

Robyn Colao-Morgan

Hon. Ed Perlmutter
Of Colorado
In the House of Representatives
Tuesday, June 7, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Robyn Colao-Morgan for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Robyn Colao-Morgan is a 12th grader at Warren Tech North and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Robyn Colao-Morgan is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives. I extend my deepest congratulations to Robyn Colao-Morgan for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

Congratuations to the 2016 United Health Foundations Diverse Scholars

Hon. Erik Paulsen
Of Minnesota
In the House of Representatives
Tuesday, June 7, 2016

Mr. PAULSEN. Mr. Speaker, continuing to modernize the health care system requires improving the quality and delivery of health care, the backbone of which is the health care workforce. I am pleased to have the opportunity today to talk about a group of students from across the country who represent some of the brightest individuals preparing to enter the health care workforce. This year’s United Health Foundation Diverse Scholars Initiative scholarship recipients represent 36 states.

They are working hard in their undergraduate and graduate programs—whether they are studying to be doctors, nurses, dentists, pharmacists, public health specialists, or technicians—to increase the number of skilled professionals entering the health care workforce.

Beyond their academic achievements, I would also like to recognize their commitment to making the health care system more culturally relevant and their dedication to improving the health outcomes of the individuals they will one day serve. Research shows that when people are treated by health professionals who share their language, culture, and ethnicity, they are more likely to accept and receive medical treatment. This will be a great asset to our nation’s health care system.

Next week, these scholars will be joining us in Washington, DC to examine some of the nation’s most pressing health care problems and potential solutions as part of the United Health Foundation’s Annual Diverse Scholars Forum. Since 2007, the United Health Foundation has helped more than 1,850 multicultural students from across the country realize their dream of pursuing careers in health while focusing on the needs of local communities through the Diverse Scholars Initiative. This year, these scholars also include a group of military spouses and dependents pursuing health care careers who have received scholarships, and I’d like to recognize their commitment to becoming part of the future health workforce and their support for those who have served.

To these exceptional scholars, congratulations and best wishes for success in all of your future endeavors. I know that our nation’s health care system will benefit from your hard work and talent.


In Honor of the Clowes Fund

Hon. Andre Carson
Of Indiana
In the House of Representatives
Tuesday, June 7, 2016

Mr. CARSON of Indiana. Mr. Speaker, I rise today to honor The Clowes Fund and family whose philanthropic contributions have positively impacted countless Hoosiers in my hometown of Indianapolis.

Dr. George Henry and Alexander Clowes, his wife Edith Whitehill Clowes and their two sons, Allen W. Clowes and Dr. George H.A. Clowes, Jr., incorporated The Clowes Fund in 1952 to support education along with literary, performing, and fine arts. Social services soon became another focus for support. A rare combination of scientist and entrepreneur, the senior Dr. Clowes was director of research at Eli Lilly and Company who in 1921 mobilized Lilly resources to mass produce and market an insulin treatment that would save the lives of millions of diabetics. Lilly’s subsequent growth as a pharmaceutical giant contributed to Dr. Clowes’ personal success, giving rise to the Fund, an extensive art collection and other philanthropic endeavors. Mrs. Clowes was actively involved in a variety of educational, cultural and social service interests in the community; she was a co-founder of the Orchard School and Planned Parenthood. Their story is told in The Doc and the Duchess, The Life and Legacy of Dr. George H.A. Clowes, written by their grandson, Dr. Alexander (Alec) Whitehill Clowes.

Alec joined The Clowes Fund board at age 21 and served from 1967–2015, and as president 2001–2015. Early in his tenure he was intimately involved in planning the Clowes Pavilion at the Indianapolis Museum of Art (IMA) for exhibition of the Clowes Collection on long-term loan. Later, he helped guide the board toward a decision to transfer ownership of the Collection to the IMA, a process that will culminate by 2023 when Indianapolis celebrates the centennial of insulin. In the early 1990’s, Alec was a unifying force that prevented the foundation from being divided by family branches. Unity is a legacy of his leadership as he made it a priority to recruit a fourth generation of family members to serve the foundation’s mission.

Since its founding, The Clowes Fund has awarded $37.3 million in funding to nonprofit organizations in Indiana. Recent grant gifts include more than $550,000 to local Centers for Working Families, a service delivery model designed to move families out of poverty and toward a more self-sufficient standard of living, and nearly $2 million to support services, recreation, and educational opportunities in our community. The Fund has also transferred art valued at approximately $25.3 million from the Clowes Collection to the Indianapolis Museum of Art with another $25 million in support scheduled over the next few years to ensure the collection remains intact and in Indiana.

IN HONOR OF THE CLOWES FUND
Let’s help educate young women in my district, across Ohio, and beyond about the risk factors of cardiovascular disease, so they develop heart-healthy behaviors long before the symptoms of heart disease ever develop.

TRIBUTE TO KATE LECHTENBERG
HON. DAVID YOUNG
OF IOWA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 7, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Kate Lechtenberg of Ankeny, Iowa for being awarded the American Association of School Librarians’ (AASL) Frances Henne Award. The AASL award is presented to a school librarian with five years or less experience who demonstrates leadership qualities with students, teachers, and the community. When presenting the award, AASL officials said, “Kate Lechtenberg is our unanimous choice due to her impressive service record and obvious commitment to the field.” Ms. Lechtenberg, Northview Middle School’s librarian for four years, embraces diverse programming, active research and fosters a love of reading with her students and the instructors. For nearly a decade as a literacy and English teacher, Ms. Lechtenberg became a school librarian, accepting a position at Northview Middle School in Ankeny, Iowa, where she provides a vibrant learning space for 850 students. Outside of school activities, Ms. Lechtenberg serves as the professional development chairman for the Iowa Association of School Librarians and as a member of the AASL standards and guidelines implementation task force.

Kate Lechtenberg makes a difference by serving others. It is with great honor that I recognize her today. I know that my colleagues in the U.S. House of Representatives join me in honoring her accomplishments. I thank her for her service to the Iowa students and the community, wishing her all the best in the future.

HONORING DR. JOHN D. LEWIS, JR.
HON. THOMAS MACARTHUR
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 7, 2016

Mr. MACARTHUR. Mr. Speaker, I rise today to honor the memory and life of Dr. John D. Lewis, Jr., of the Third Congressional District, and to express my sincerest condolences to his family and loved ones he has left behind, as well as to recognize his service and career. Dr. Lewis joined the United States Army in high school and served in World War II from 1943 to 1946. Upon returning to the United States, he completed his education and entered Hampton University. Dr. Lewis continued to serve our nation by participating in the ROTC program, while studying biology. He became an officer in the military at Hampton and earned his bachelor’s degree in 1951. After leaving Hampton University, Dr. Lewis was stationed at Camp Edwards in New Bedford, Massachusetts where he met Agnes Perry Alves, whom he married in July of 1952. Dr. Lewis served as an officer in the Korean War from 1951 to 1953. He then joined the Army Reserves and rose to the rank of Major before retiring with honor and distinction in 1976.

Mr. Speaker, we cannot leave women’s health to chance. Heart disease is deadly, but it’s also largely preventable. Let’s help educate young women in my district, across Ohio, and beyond about the risk factors of cardiovascular disease, so they develop heart-healthy behaviors long before the symptoms of heart disease ever develop.

THE MEDICARE DENTAL, VISION, AND HEARING BENEFIT ACT OF 2016
HON. JIM MCDERMOTT
OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 7, 2016

Mr. MCDERMOTT. Mr. Speaker, today I am proud to introduce the Medicare Dental, Vision, and Hearing Benefit Act of 2016. This legislation expands the Medicare benefit package to include comprehensive coverage of dental, vision, and hearing care.

The Medicare program commemorated its 50th anniversary last year, and there are many reasons to celebrate this important milestone. Thanks to Medicare, 55 million seniors, patients with End-Stage Renal Disease, and people with disabilities enjoy the peace of mind and security that comes with health coverage.

But there is still a tremendous amount of work that must be done to ensure that the coverage that Medicare provides truly meets the needs of all of its beneficiaries. Unfortunately, many gaps continue to exist in Medicare’s covered benefits. These gaps force beneficiaries to shoulder burdensome out-of-pocket costs and, in many cases, to do without the care they need.

One of the largest holes in the Medicare benefit package is the lack of coverage for dental, vision, and hearing care. In fact, not only does Medicare not pay for these crucial health services, but current law specifically excludes them from coverage.

This is a shortsighted and harmful policy that has serious ramifications for beneficiaries. Lack of dental care is linked strongly with numerous health problems, including potentially fatal and costly conditions such as cardiovascular disease and oral cancers. Similarly, untreated vision disorders—which are among the most common and costly conditions facing the elderly—substantially increase the risk of expensive hospitalizations due to injuries associated with falls.

And hearing loss, which is pervasive among beneficiaries, often leads to social isolation, depression, and cognitive impairments. Yet the majority of elderly Americans who need hearing aids do not have them—in large part due to costs.

It’s time for Congress to recognize that Medicare must be expanded to address the full spectrum of beneficiaries’ health needs. The Medicare Dental, Vision, and Hearing Benefit Act does just that.

The bill repeals the outdated statutory exclusions that prevent Medicare from providing coverage of dental, vision, and hearing services and related supplies.

It amends Part B to provide coverage of necessary health services, including routine coverage of dental, vision, and hearing services. It amends Part B to provide coverage of necessary health services, including routine
CONGRESSIONAL RECORD — Extensions of Remarks

June 7, 2016

Ms. BORDALLO. Mr. Speaker, I rise today to congratulate the Republic of Philippines on the 118th Anniversary of its independence. I also join the people of Guam and the Filipino Community of Guam in declaring the month of June the Philippine Month in Guam.

On May 1, 1898, the Battle of Manila Bay signaled the United States’ entry into the war with Spain that the Philippines had been fighting for since 1896. On June 12, 1898 the Filipino revolutionary forces under General Emilio Aguinaldo proclaimed the sovereignty and independence of the Philippine Islands from Spanish colonial rule. Filipinos are very proud of these leaders who had the dream of an independent and free country. This act of determining their political future remains a much celebrated event 118 years later, especially by Filipinos who call the United States and Guam home.

Since earning their independence, the Filipino people have suffered through years of dictatorship, martial law, and Japanese occupation. We on Guam are particularly sympathetic to this last event, having ourselves been taken over by the Japanese.

Today, the Philippines is an important ally of the United States in Southeast Asia. President Aquino has taken positive steps to combat terrorism in the Philippines, and his government continues to be cooperative with our own efforts in the region. In addition, the friendship of the Filipino people has forged a bond between our two nations that has grown stronger over time. Filipino-Americans have contributed immensely to our nation. In my home district of Guam, Filipino-Americans represent one-third of the general population. They play a key role in the economic, social, and political fabric of our island and the nation as a whole. Guam and the Philippines share linguistic, social, and cultural roots which have made Filipinos on Guam able to be active in celebrating their culture in harmony with the local community. Many Filipinos and members of the Filipino Community of Guam have contributed their time, talents and expertise by serving as medical, educational, and government professionals and religious leaders, among others, to improve the quality of life on Guam. The Filipino Community of Guam has also been passionately dedicated to helping those in need by supporting numerous charitable non-profit organizations on our island and they have organized fundraising efforts for disaster victims in the Micronesia region and the Philippines.

Our two nations and indeed our people are intimately linked to one another. On behalf of the people of Guam, I congratulate the Philippines and the Filipino Community of Guam on the 118th anniversary of independence of the Philippines and look forward to the continued positive contributions of the Filipino Community of Guam.

Mr. COFFMAN. Mr. Speaker, I rise today to recognize Lily Shen, a resident of the 6th district, for being awarded the Asian American Hero of Colorado Award.

Mrs. Shen emigrated from Taiwan to the United States with her family 35 years ago. Since then, she has been a pillar of her community; fervently engaging in countless community programs. To name just a few of her current engagements, Mrs. Shen is currently the President of Colorado Chinese Language School and Colorado Chinese Club, the President of Colorado Chinese Evergreen Society, the Vice Chair of the Asian Pacific Development Center, and as the Treasurer of the Asian Roundtable of Colorado. Mrs. Shen has also served as the chair of the Chinese/Taiwanese Advisor Council to my office since 2012–present.

Her storied career of community service to the Colorado Asian community, and to the Colorado community as a whole, has been punctuated by awards recognizing her achievement. To name a few of her many awards, Mrs. Shen is a recipient of a lifetime achievement award from the Colorado Behavioral Healthcare Council, a Woman of Distinction award from the Girl Scouts Mile High Council, an Outstanding Performance and Lasting Contributions Award from Senator Wayne Allard and she is a recipient of the Ambassadors for Peace Excellence in Leadership Award from Inter-religious and International Federation for World Peace; American Leadership Initiative in Washington DC.

I commend Mrs. Shen for her dutiful and tireless service to her community. She is truly deserving of being awarded the Asian American Hero of Colorado Award; an award which is yet another testament to her lifetime of community service.

Mr. REICHERT. Mr. Speaker, I submit the following testimony:

Thank you for inviting me to speak with you today. I’m honored to be here. I first met with Congressman Reichert at his District Office last year, just before I drove my 18-year-old daughter to Oklahoma to start her freshman year in college.

This is the daughter who started my journey. She was the baby girl I was about to
I believe—from personal experience—that the biggest problem facing our nation today is not crime, drugs, alcohol, or gang violence. These are just the results of a larger problem, which is fatherlessness. So many of the problems in our communities today are direct results of fatherlessness.

Far too many of our young people have not had strong, responsible fathers engaged in their lives. As a result, too many go off the rails, becoming criminals, abusing drugs and alcohol, running out of school, and running away from home. Another common side effect is teenage pregnancies and out-of-wedlock births.

The National Fatherhood Initiative has identified fatherlessness as the root cause of $100 billion a year in taxpayer costs. A few examples:

- 90 percent of all homeless and runaway children are from fatherless homes.
- 85 percent of all children that exhibit behavioral disorders come from fatherless homes.
- 85 percent of all youths in prisons grew up in a fatherless home.
- 80 percent of rapists motivated by displaced anger come from fatherless homes.
- 75 percent of all adolescents in chemical abuse centers come from fatherless homes.
- 71 percent of all high school dropouts come from fatherless homes.
- 70 percent of families in state-operated institutions come from fatherless homes.
- 63 percent of youth suicides are individuals from fatherless homes.

I sometimes compare fatherlessness to TB. The AIDS virus doesn’t kill you, but it breaks down your immune system, so the infection that you catch is what kills you. Fatherlessness works the same way. If you remove a father from the home, the family doesn’t die, but it is opened up for infection—which comes in the form of teenage pregnancy, crime, gang violence, drugs and alcohol, and other negative impacts. So what can be done about the nationwide problem of fatherlessness? DADS is a faith-based organization that addresses this problem in our Washington state. I founded this organization in the year 2000 along with my wife, Jeanett. I had spent many years of my life on the wrong side of the tracks, but when faced with the decision to leave our daughter on the steps of a hospital, I knew then that I needed to turn my life around and become a responsible father. It wasn’t easy—in fact, it was the hardest thing I had ever done. But the rewards of being a real father to my children made it the best thing I have ever done. And it made me want to help other men do the same thing.

Over the last 16 years, DADS has helped over 3,000 men reunite with over 6,000 children. Our client population is predominantly minority, with 66 percent African American. The rest are Hispanic, Asian and Caucasian. Of those clients, approximately 90 percent have a history of incarceration. Of the thousands of men who have received services from DADS, their main motivation is the desire to reenter the lives of their children.

With the help they get through our program, many of these men are able to regain custody, find and keep jobs, provide stable housing, become taxpaying citizens, and even reunite with their families. As a result, their children stay in school, keep off drugs, and out of gangs, avoid teenage pregnancies, graduate from high school and even go on to college.

The effectiveness of our program depends on the trust that each individual develops in our staff as we help them navigate systems. For this reason, DADS does not charge for our services. We focus on building a vision for healthy fatherhood and then finding the resources that each individual needs to achieve success.

Law-enforcement officers see firsthand the legacies of fatherlessness. Children from fatherless homes often become casualties, victims or offenders themselves. Then they are challenges for our school systems, social-service programs, drug and alcohol recovery services, law-enforcement agencies, legal, and court systems—and ultimately our jails and prisons.

With Father’s Day just around the corner, it is my hope that all of us would recommit ourselves to giving fathers hope by walking together in support of our Dads Services. We are based in Seattle but are dedicated to building relational and legal barriers that separate them from their children and families.

EDWARD WALLACE
OF TEXAS

TUESDAY’S IN TEXAS: “BIG FOOT” WALLACE

HON. TED POE
OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. POE of Texas. Mr. Speaker, the year was 1840 when one of the most faithful Texans joined the Texas Rangers and began a decade’s-long service to the great state of Texas. William A.A. Wallace, more often known as Big Foot, was born in Virginia in 1817. He moved to Texas in 1837 after hearing that a brother and a cousin were killed by the Mexican Army during the Texas Revolution. Not long after, he would join the Texas Rangers and spent the better part of his life defending Texas.

Though there are many legends about the emergence of his nickname, Wallace contended that the nickname derived from an incident with a Comanche. During the time he lived in Austin before he joined the Texas Rangers, a Comanche with large feet stole property in the area and was tracked by Wallace. When the Comanche raided the kitchen of a man in town, the man followed the Comanche’s tracks to Wallace’s house and thus accused Wallace of the raid. But a quick-thinking Wallace pointed out that the tracks were much larger than his. It was this case of mistaken identity that led Wallace to assume the name “Big Foot.”

Wallace is a descendant of the Scottish legend William Wallace, immortalized in the film Braveheart, who led a rebellion against King Edward I of England during the Wars of Scottish Independence. Like his ancestor who fought courageously and for a cause he wholeheartedly believed in, “Big Foot” Wallace spent decades fighting faithfully for a cause he believed in, the defense of Texas. As a side note, Mr. Speaker, I too have a connection to William Wallace. My family are descendants of the Weems Clan (Wemyss) of Scotland. The Wemysses fought on the side of Edward I of England during the Scottish war of Independence. When the war was over and their side lost, the English crown confiscated much of their inherited land. The Weems Castle still sits on the coast of Scotland.

In 1840, Wallace joined the Texas Rangers and subsequently fought various skirmishes with Texas Indians and Mexicans. Two years later when fighting an invading Mexican Army during the Somervell and Mier expeditions, Wallace was among 150 men captured by Mexican forces. During this time in a Mexican prison 1 in 10 men was to be executed. Their fate was determined by drawing either a white or black bean from a jar. Those who drew the black bean were executed. Luckily, Wallace drew a white bean and was spared, and eventually released. The executions would later become known to all those who study Texas history as the “Black Bean Episode.”

His time in the Mexican prison must have furthered his resolve because he once again volunteered to serve with the Texas Rangers and during the Mexican War he served in a company of Mounted Volunteers in the United States Army. Following the Mexican War and through the Civil War, this Loyal Texan once again served with the Texas Rangers fighting to protect the Texas frontier from bandits, Indians, deserters and Union soldiers.

As a testament to his loyal service to Texas, Wallace was given a tract of land in Frio County, in South Texas, where he lived until his death in 1899. He was ultimately buried at the Texas State Cemetery at the feet of Stephen F. Austin. He has become a folk legend for those in Texas and beyond. The words at his final resting place say it all, “Here lies he who spent his manhood defending the homes of Texas. Brave, honest, and faithful.”

And that’s just the way it is.

HON. STEVEN M. PALAZZO
OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. PALAZZO. Mr. Speaker, I rise today to honor Sergeant Olan Mike Manning, an American patriot who exhibits the truest values of selflessness and dedication.

Sergeant Mike Manning of Laurel, Mississippi has devoted 40 years of service to his country in the United States Army and has led the 184th Brigade in both Iraq and Afghanistan. His outstanding service includes retrieval missions in the heat of battle which have been recognized through his NCO leadership positions. His efforts should be revered and are highly recognized with numerous medals and service awards.
Sergeant Manning has gone beyond the call of duty as a soldier and as a father. Married to Donna Manning for over 30 years, they have raised two talented sons, Trace and Madison. Sergeant Manning’s brave and resilient character is apparent through his sons as they have both fought personal battles against Cystic Fibrosis. As a family, they endured troubling times, Sergeant Manning did not waiver in his duty to country. In fact, his patriotism resonated so deeply with his sons that they encouraged him to serve overseas while the two combated their illness. In 2008, the Manning family faced the hardest battle of all when Trace passed away. Tried and true, the Mannings are exemplary in perseverance and patriotism.

Loyal to the things we value most, Sergeant Manning’s moral compass points true as he places family and nation above himself. He constantly seeks opportunities to improve life for those around him. Admired and respected by all, Sergeant Manning is the ultimate example of an American patriot.

It is with great pleasure that I honor today, a decorated war hero and a noble father. I commend Sergeant Manning for his dedicated service and his selflessness that motivates everyone around him.

DR. GUY SCONZO
HON. TED POE
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 7, 2016

Mr. POE of Texas. Mr. Speaker, I would like to recognize the fine career and outstanding public service of my friend, Dr. Guy Sconzo. Dr. Sconzo has devoted four decades to the education of our nation’s youth; beginning as a teacher and then working as an administrator. He is retiring after leading Humble Independent School District for the last 15 years as Superintendent. He has devoted his life to education and bettering our community, and it is with great pleasure that I express my admiration and gratitude for his lifetime service. I offer him my utmost congratulations for his long and successful career.

Dr. Sconzo began his career as a teacher—his alma mater—New York State. After graduating from Wagner College in 1973, he then earned his Master’s Degree at New York University, and his doctorate at Ohio State University. He served in many different teaching and administrative roles in New York, Ohio, New Jersey, and Oklahoma. He then made one of the best decisions of his life, he moved to the great State of Texas in 2001 as Superintendent for Humble ISD.

During his career, he has achieved numerous awards and recognition at the local, state and federal level for his leadership and hands-on involvement in the success of the students at Humble ISD. In 2013, he earned Superintendent of the Year by Region 4 and last year he led Humble ISD to being named the Best Large District in Texas by H–E–B Excellence in Education Awards. His dedication has earned him the respect and admiration of the teachers, staff and students under his supervision, as well as the community. His intelligence, eagerness, and vision will be sincerely missed by not only Humble, but the many other communities that he has touched.

Dr. Sconzo is a dedicated family man, having been married to his wife Diane for 41 years, and the proud father of two adult children—Michael and Jennifer. Dr. Sconzo and Diane are looking forward to traveling and spending time with their four grandchildren.

On behalf of the Second Congressional District of Texas, I recognize Dr. Sconzo as a remarkable leader for his exemplary service and dedication to the State of Texas. I thank him for a job well done and I wish him the best of luck in the future as he enters into this new phase of life.

CLINTON THOMAS SAWYER
HON. STEVEN M. PALAZZO
OF MISSISSIPPI
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 7, 2016

Mr. PALAZZO. Mr. Speaker, I would like to take this opportunity to recognize Mr. Clinton Thomas Sawyer as a member of the United States Merchant Marine Academy Class of 2016. Clint will graduate from the U.S. Merchant Marine Academy on June 18, 2016, and he will be commissioned as an Ensign in the United States Navy Reserve.

His career in the service has just begun, but it is a testament to Clint’s selflessness devotion to the people of this great nation.

The challenges will be many and the time, although it may seem like an eternity, will fly by almost unnoticed.

South Mississippi is proud of Clint and his accomplishments, and we look forward to him continuing to represent not only Mississippi, but the entire nation, as a United States Navy Reserve officer.

As Clint embarks on a new chapter in life, it is my hope that he may always recall with a deep sense of pride and accomplishment graduating from a program as prestigious as the Merchant Marine Academy.

I would like to send Clint my best wishes for continued success in his future endeavors, thank him for his service, and congratulate him on this momentous occasion.

COMMEMORATING THE 130TH ANNIVERSARY OF THE BASILICA OF ST. MICHAEL THE ARCHANGEL IN PENSACOLA, FLORIDA
HON. JEFF MILLER
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 7, 2016

Mr. MILLER of Florida. Mr. Speaker, I rise to commemorate the 130th anniversary of the historic Basilica of St. Michael the Archangel in Pensacola, Florida.

The Catholic presence in Pensacola traces back more than 450 years ago, upon the first settlement under the command of Don Tristán de Luna y Arrellano in 1559. Following a series of military conflicts to occupy or maintain settlements in Pensacola and hurricanes that devastated the Gulf Coast, under the command of General Bernardo de Galvez in 1781, the Spanish Crown ordered the British and recaptured Pensacola. It was in May of that year that Father Cyril de Barcelona blessed an old wooden two story warehouse on the water-front for a church to establish a parish of St. Michael the Archangel, and on June 6, 1886, present-day St. Michael Church in downtown Pensacola was formally dedicated by Bishop Jeremiah O’Sullivan of Mobile, Alabama.

With a red brick exterior and Florida pine interior, the church became adorned with life-like Stations of the Cross, memorials bearing the names of pioneer Catholic families and eventually 24 breathtaking stained glass windows, 23 of which were recently restored, that were designed and created by world-renowned artist Emil Frei.

Cystic Fibrosis. As the family endured troubles in Pensacola, the Mannings were an American patriot.

As the family endured troubles in Pensacola, the Mannings were exemplary in perseverance and patriotism.

Speaking to the importance of community and education, I commend Sergeant Manning for his service, and gratefully thank him for his lifelong service. I have the utmost pleasure that I express my admiration and gratitude for his lifelong service. I offer him my heartfelt congratulations for the work he has done and I wish him the best of luck in the future as he enters into this new phase of life.

A TRIBUTE TO FRED SHEEHEEN
HON. JAMES E. CLYBURN
OF SOUTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 7, 2016

Mr. CLYBURN. Mr. Speaker, I rise to pay tribute to a legendary figure in South Carolina,
Mr. PALAZZO. Mr. Speaker, I would like to take this opportunity to recognize Ms. Teresa Meadows as a member of the United States Naval Academy Class of 2016.

Teresa graduated from the U.S. Naval Academy with a degree in history and she received a commission as an Ensign in the United States Navy on May 27th, 2016.

Her career in the service has just begun, but it is a testament to Teresa's unselfish devotion to the people of this great nation.

The challenges will be many and the time, although it may seem like an eternity, will fly by almost unnoticed.

South Mississippi is proud of Teresa and her accomplishments, and we look forward to her continuing to represent not only Mississippi, but the entire nation, as a United States Navy officer.

As Teresa embarks on a new chapter in life, it is my hope that she may always recall with a deep sense of pride and accomplishment graduating from a program as prestigious as the Naval Academy.

I would like to send Teresa my best wishes for continued success in her future endeavors, thank her for her service, and congratulate her on this momentous occasion.

CONGRATULATIONS TO THE 2016 SERVICE ACADEMY APPOINTEES FROM THE 21ST CONGRESSIONAL DISTRICT OF TEXAS

HON. LAMAR SMITH
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 7, 2016

Mr. SMITH of Texas. Mr. Speaker, today we congratulate the 2016 Service Academy appointees from the 21st Congressional District of Texas.

The following individuals have accepted Academy appointments:

John Richard Anthis, Alamo Heights High School, Greystone Preparatory School at Schreiner University, United States Military Academy; Chandler Ray Baker, Central Catholic High School, United States Military Academy; Heidi S. Borgerding, Boerne—Samuel V. Champion High School, United States Air Force Academy; Tamara Jean Fumagalli, New Braunfels High School, United States Air Force Academy; Gracie Sierra Hough, Jack C. Hays High School, United States Naval Academy; Mark Kittelson, Ronald Reagan High School, United States Merchant Marine Academy; Steven Thomas Lamoureux, Robert G. Cole High School, United States Air Force Academy; Scott Wagner McClendon, Westlake High School, Greystone Preparatory School at Schreiner University, United States Air Force Academy and Sean J. O'Leary, Heritage School, United States Military Academy.

These outstanding students have much to give to their Academy and to our country. We appreciate both their talents and their patriotism.

PAUL SOLOMON

HON. STEVEN M. PALAZZO
OF MISSISSIPPI
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 7, 2016

Mr. PALAZZO. Mr. Speaker, I would like to take this opportunity to recognize Mr. Paul Solomon as a member of the United States Air Force Academy Class of 2016.

Paul graduated from the U.S. Air Force Academy on June 2, 2016, and he will be commissioned as a Second Lieutenant in the United States Air Force.

His career in the service has just begun, but it is a testament to Paul's unselfish devotion to the people of this great nation.

The challenges will be many and the time, although it may seem like an eternity, will fly by almost unnoticed.

South Mississippi is proud of Paul and his accomplishments, and we look forward to him continuing to represent not only Mississippi, but the entire nation, as a United States Air Force officer.

As Paul embarks on a new chapter in life, it is my hope that he may always recall with a deep sense of pride and accomplishment graduating from a program as prestigious as the Air Force Academy.

I would like to send Paul my best wishes for continued success in his future endeavors, thank him for his service, and congratulate him on this momentous occasion.
Chamber Action
Routine Proceedings, pages S3473–S3597

Measures Introduced: Five bills and one resolution were introduced, as follows: S. 3025–3029, and S.J. Res. 34.

Measures Reported:
S. 795, to enhance whistleblower protection for contractor and grantee employees, with an amendment in the nature of a substitute. (S. Rept. No. 114–270)
S. 1411, to amend the Act of August 25, 1958, commonly known as the “Former Presidents Act of 1958”, with respect to the monetary allowance payable to a former President, with an amendment in the nature of a substitute. (S. Rept. No. 114–271)

Measures Passed:
Female Veteran Suicide Prevention Act: Committee on Veterans’ Affairs was discharged from further consideration of S. 2487, to direct the Secretary of Veterans Affairs to identify mental health care and suicide prevention programs and metrics that are effective in treating women veterans as part of the evaluation of such programs by the Secretary, and the bill was then passed.

Use of the Capitol Grounds: Senate agreed to H. Con. Res. 119, authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby.

Measures Considered:
National Defense Authorization Act—Agreement: Senate continued consideration of S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, taking action on the following amendments proposed thereto:

Adopted:
McCain (for Peters) Amendment No. 4138, to provide for the treatment by discharge review boards of claims asserting post-traumatic stress disorder or traumatic brain injury in connection with combat or sexual trauma as a basis for review of discharge.
McCain (for Baldwin) Amendment No. 4293, to require a National Academy of Sciences study on alternative technologies for conventional munitions demilitarization.
McCain (for Gillibrand) Amendment No. 4112, to expand protections against wrongful discharge to sexual assault survivors.
McCain (for Schumer) Amendment No. 4177, to require a report on the replacement of the security forces and communications training facility at Frances S. Gabreski Air National Guard Base, New York.
McCain (for Leahy) Amendment No. 4354, to clarify that the National Guard’s mission is both Federal and non-Federal for purposes of a report on the cost of conversion of military technicians to active Guard and Reserve.
McCain (for Heitkamp) Amendment No. 4079, to ensure continued operational capability for long-range bomber missions in the event of termination of the B–21 bomber program.
McCain (for Hirono) Amendment No. 4317, to fulfill the commitment of the United States to the Republic of Palau.
McCain (for Cardin/McCain) Amendment No. 4031, to impose sanctions with respect to foreign persons responsible for gross violations of internationally recognized human rights.
McCain (for Coats) Amendment No. 4169, to require a report on the discharge by warrant officers of pilot and other flight officer positions in the Navy, Marine Corps, and Air Force currently discharged by commissioned officers.
McCain (for Portman/Brown) Amendment No. 4236, to require a report on priorities for bed downs, basing criteria, and special mission units for C–130J aircraft of the Air Force.
McCain (for Roberts) Amendment No. 4119, to prohibit reprogramming requests of the Department of Defense for funds for the transfer or release, or construction for the transfer or release, of individuals
detained at United States Naval Station, Guantanamo Bay, Cuba.

McCain (for Ernst) Amendment No. 4095, to improve Federal program and project management.

McCain (for Murkowski) Amendment No. 4086, to authorize a lease of real property at Joint Base Elmendorf-Richardson, Alaska.

McCain (for Hatch) Amendment No. 4071, to redesignate the Assistant Secretary of the Air Force for Acquisition as the Assistant Secretary of the Air Force for Acquisition, Technology, and Logistics.

McCain (for Daines) Amendment No. 4247, to require an expedited decision with respect to securing land-based missile fields.

McCain (for Sullivan) Amendment No. 4344, to authorize military-to-military exchanges with India.

By 66 yeas to 32 nays (Vote No. 90), Durbin Amendment No. 4369, to provide that certain provisions in this Act relating to limitations, transparency, and oversight regarding medical research conducted by the Department of Defense shall have no force or effect.

By 70 yeas to 28 nays (Vote No. 91), Inhofe Amendment No. 4204, to strike the provision relating to the pilot program on privatization of the Defense Commissary System.

PENDING:

McCain Amendment No. 4229, to address unfunded priorities of the Armed Forces.

Reed/Mikulski Amendment No. 4549 (to Amendment No. 4229), to authorize parity for defense and nondefense spending pursuant to the Bipartisan Budget Act of 2015.

A motion was entered to close further debate on Reed/Mikulski Amendment No. 4549 (to Amendment No. 4229) (listed above), and, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Thursday, June 9, 2016.

A motion was entered to close further debate on McCain Amendment No. 4229 (listed above), and, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of Reed/Mikulski Amendment No. 4549 (to Amendment No. 4229).

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 9:30 a.m., on Wednesday, June 8, 2016; and that Senate recess subject to the call of the Chair at 10:30 a.m.

House Messages:


Messages from the House:

Additional Cosponsors:

Statements on Introduced Bills/Resolutions:

Additional Statements:

Amendments Submitted:

Authorities for Committees to Meet:

Privileges of the Floor:

Record Votes: Two record votes were taken today. (Total—91)

Adjournment: Senate convened at 10 a.m. and adjourned at 8:43 p.m., until 9:30 a.m. on Wednesday, June 8, 2016. (For Senate’s program, see the remarks of the Majority Leader in today’s Record on page S3597.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS: LABOR, HEALTH AND HUMAN SERVICES, EDUCATION

Committee on Appropriations: Subcommittee on Departments of Labor, Health and Human Services, and Education, and Related Agencies approved for full committee consideration an original bill entitled, “Labor, Health and Human Services, Education, and Related Agencies Appropriations Act, 2017”.

BANK CAPITAL AND LIQUIDITY REGULATION

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine bank capital and liquidity regulation, after receiving testimony from Hal S. Scott, Harvard Law School, Cambridge, Massachusetts; Marvin Goodfriend, Carnegie Mellon University Tepper School of Business, Pittsburgh, Pennsylvania; and Heidi Mandanis Schooner, The Catholic University of America Columbus School of Law, and Paul H. Kupiec, American Enterprise Institute for Public Policy Research, both of Washington, D.C.

EPA OVERSIGHT

Committee on Environment and Public Works: Subcommittee on Superfund, Waste Management, and
Regulatory Oversight concluded an oversight hearing to examine Environmental Protection Agency’s unfunded mandates on state, local, and tribal governments, after receiving testimony from Mark Norris, Tennessee State Senate Majority Leader, Nashville, on behalf of the Council of State Governments; George S. Hawkins, District of Columbia Water and Sewer Authority, and Robert L. Glicksman, The George Washington University Law School, both of Washington, D.C.; Christian Y. Leinbach, Berks County, Reading, Pennsylvania, on behalf of the National Association of Counties; and John L. Berrey, Quapaw Tribe of Oklahoma, Quapaw.

RUSSIAN VIOLATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine Russian violations of borders, treaties, and human rights, after receiving testimony from Victoria Nuland, Assistant Secretary of State, Bureau of European and Eurasian Affairs; Michael R. Carpenter, Deputy Assistant Secretary of Defense; David Satter, Hudson Institute, Washington, D.C.; and Vladimir V. Kara-Murza, Open Russia Movement, Russian Federation.

TSA OPERATIONS AND PASSENGER SCREENING

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine frustrated travelers, focusing on rethinking Transportation Security Administration operations to improve passenger screening and address threats to aviation, after receiving testimony from Peter Neffenger, Administrator, Transportation Security Administration, and John Roth, Inspector General, both of the Department of Homeland Security; and Jennifer A. Grover, Director, Homeland Security and Justice, Government Accountability Office.

DEADLY SYNTHETIC DRUGS

Committee on the Judiciary: Committee concluded a hearing to examine deadly synthetic drugs, after receiving testimony from Chuck Rosenberg, Acting Administrator, Drug Enforcement Administration, and Richard Hartunian, United States Attorney for the Northern District of New York, both of the Department of Justice; Michael Botticelli, Director of National Drug Control Policy; Douglas C. Throckmorton, Deputy Director, Regulatory Programs, Center for Drug Evaluation and Research, Food and Drug Administration, Department of Health and Human Services; Chief Cathy L. Lanier, Metropolitan Police Department, Washington, D.C.; Joseph D. Coronato, National District Attorneys Association, Toms River, New Jersey; Sullivan K. Smith, Cookeville Regional Medical Center, Cookeville, Tennessee; James N. Hall, Nova Southeastern University Center for Applied Research on Substance Use and Health Disparities, Miami, Florida; and Mike Rozga, Indianola, Iowa.

HOLOCAUST EXPROPRIATED ART RECOVERY ACT

Committee on the Judiciary: Subcommittee on the Constitution with the Subcommittee on Oversight, Agency Action, Federal Rights and Federal Courts concluded a hearing to examine S. 2763, to provide the victims of Holocaust-era persecution and their heirs a fair opportunity to recover works of art confiscated or misappropriated by the Nazis, after receiving testimony from Ronald S. Lauder, World Jewish Restitution Organization, Monica Dugot, Christie’s, Agnes Peresztegi, Commission for Art Recovery, and Helen Mirren, all of New York, New York; and Simon Goodman, Beverly Hills, California.

NOMINATION

Select Committee on Intelligence: Committee concluded a hearing to examine the nomination of Susan S. Gibson, of Virginia, to be Inspector General of the National Reconnaissance Office, after the nominee testified and answered questions in her own behalf.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 16 public bills, H.R. 5385–5392, 5395–5402; and 2 resolutions, H. Res. 766, 768, were introduced.

Additional Cosponsors:

Reports Filed: Reports were filed today as follows:

Supplemental report on H.R. 4775, to facilitate efficient State implementation of ground-level ozone standards, and for other purposes (H. Rept. 114–598, Part 2);

H.R. 5273, to amend title XVIII of the Social Security Act to provide for regulatory relief under the Medicare program for certain providers of services...
and suppliers and increased transparency in hospital coding and enrollment data, and for other purposes, with an amendment (H. Rept. 114–604, Part 1);

H.R. 5393, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2017, and for other purposes (H. Rept. 114–605);

H.R. 5394, making appropriations for the Departments of Transportation, Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2017, and for other purposes (H. Rept. 114–606); and

H. Res. 767, providing for consideration of the bill (H.R. 4775) to facilitate efficient State implementation of ground-level ozone standards, and for other purposes; providing for consideration of the concurrent resolution (H. Con. Res. 89) expressing the sense of Congress that a carbon tax would be detrimental to the United States economy; and providing for the consideration of the concurrent resolution (H. Con. Res. 112) expressing the sense of Congress opposing the President’s proposed $10 tax on every barrel of oil (H. Rept. 114–607).

Speaker: Read a letter from the Speaker wherein he appointed Representative Womack to act as Speaker pro tempore for today.

Recess: The House recessed at 12:08 p.m. and reconvened at 2 p.m.

Recess: The House recessed at 2:10 p.m. and reconvened at 3:45 p.m.

Suspensions: The House agreed to suspend the rules and pass the following measures:

Checkpoint Optimization and Efficiency Act of 2016: H.R. 5338, amended, to reduce passenger wait times at airports;

Helping Hospitals Improve Patient Care Act of 2016: H.R. 5273, amended, to amend title XVIII of the Social Security Act to provide for regulatory relief under the Medicare program for certain providers of services and suppliers and increased transparency in hospital coding and enrollment data;

Expressing support for the goal of ensuring that all Holocaust victims live with dignity, comfort, and security in their remaining years, and urging the Federal Republic of Germany to reaffirm its commitment to this goal through a financial commitment to comprehensively address the unique health and welfare needs of vulnerable Holocaust victims, including home care and other medically prescribed needs.

Agreed to amend the title so as to read: “Expressing support for the goal of ensuring that all Holocaust victims live with dignity, comfort, and security in their remaining years, and urging the Federal Republic of Germany to continue to reaffirm its commitment to this goal through a financial commitment to comprehensively address the unique health and welfare needs of vulnerable Holocaust victims, including home care and other medically prescribed needs.”

Amending title 5, United States Code, to clarify the eligibility of employees of a land management agency in a time-limited appointment to compete for a permanent appointment at any Federal agency: H.R. 4906, to amend title 5, United States Code, to clarify the eligibility of employees of a land management agency in a time-limited appointment to compete for a permanent appointment at any Federal agency, by a ⅔ yea-and-nay vote of 363 yea with none voting “nay”, Roll No. 270;


Eastern Nevada Land Implementation Improvement Act: H.R. 1815, amended, to facilitate certain pinyon-juniper related projects in Lincoln County, Nevada, to modify the boundaries of certain wilderness areas in the State of Nevada, and to provide for the implementation of a conservation plan for the Virgin River, Nevada, by a ⅔ yea-and-nay vote of 360 yeas to 7 nays, Roll No. 272;

Shiloh National Military Park Boundary Adjustment and Parker’s Crossroads Battlefield Designation Act: H.R. 87, amended, to modify the boundary of the Shiloh National Military Park located in Tennessee and Mississippi, to establish Parker’s Crossroads Battlefield as an affiliated area of the National Park System;
Nevada Native Nations Land Act: H.R. 2733, amended, to require the Secretary of the Interior to take land into trust for certain Indian tribes; Pages H3485–86

EEZ Transit Zone Clarification and Access Act: H.R. 3070, amended, to clarify that for purposes of all Federal laws governing marine fisheries management, the landward boundary of the exclusive economic zone between areas south of Montauk, New York, and Point Judith, Rhode Island; and Pages H3486–87

Agreed to amend the title so as to read: “To authorize the Secretary of Commerce to permit striped bass fishing in the Exclusive Economic Zone transit zone between Montauk, New York, and Point Judith, Rhode Island, and for other purposes.”. Page H3487


Recess: The House recessed at 6:03 p.m. and reconvened at 6:30 p.m. Page H3490

Meeting Hour: Agreed by unanimous consent that when the House adjourns today, it adjourn to meet at 10 a.m. tomorrow, June 8. Page H3493

Commission on Evidence-Based Policymaking—Appointment: The Chair announced the Speaker’s appointment of the following individuals on the part of the House to the Commission on Evidence-Based Policymaking: Mr. Ron Haskins of Rockville, Maryland, Co-Chairman; Mr. Bruce Meyer of Chicago, Illinois, and Mr. Robert Hahn of Hillsboro Beach, Florida. Pages H3494–95

Suspension—Proceedings Postponed: The House debated the following measure under suspension of the rules. Further proceedings were postponed.


Senate Message: Message received from the Senate today appears on page H3498.

Quorum Calls—Votes: Four yea-and-nay votes developed during the proceedings of today and appear on pages H3490–91, H3491–92, H3492, and H3492–93. There were no quorum calls.

Adjournment: The House met at 12 noon and adjourned at 8:15 p.m.
and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question. The rule waives all points of order against the amendments printed in the report. The rule provides one motion to recommit with or without instructions. The rule also grants closed rules for H. Con. Res. 89 and H. Con. Res. 112. The rule provides one hour of debate on each concurrent resolution equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. The rule waives all points of order against consideration of each concurrent resolution. The rule provides that each concurrent resolution shall be considered as read and shall not be subject to a demand for division of the question. The rule waives all points of order against provisions in each concurrent resolution. Testimony was heard from Representatives Boustany, Levin, Whitfield, Castor of Florida, and Polis.

VA AND ACADEMIC AFFILIATIONS: WHO BENEFITS?

Committee on Veterans' Affairs: Subcommittee on Oversight and Investigations held a hearing entitled "VA and Academic Affiliations: Who Benefits?". Testimony was heard from Robert L. Jesse, M.D., Chief Academic Affiliations Officer, Department of Veterans Affairs; Randall Williamson, Director, Health Care Issues, Government Accountability Office; and public witnesses.

Joint Meetings

No joint committee meetings were held.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, p. D577)

H.R. 2814, to name the Department of Veterans Affairs community-based outpatient clinic in Sevierville, Tennessee, the Dannie A. Carr Veterans Outpatient Clinic. Signed on June 3, 2016. (Public Law 114–164)

S. 184, to amend the Indian Child Protection and Family Violence Prevention Act to require background checks before foster care placements are ordered in tribal court proceedings. Signed on June 3, 2016. (Public Law 114–165)

COMMITTEE MEETINGS FOR WEDNESDAY, JUNE 8, 2016

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Commerce, Science, and Transportation: to hold hearings to examine implementation of the FAST Act, 2:30 p.m., SR–253.

Committee on Finance: business meeting to consider the nominations of Charles P. Blahous III, and Robert D. Reischauer, both of Maryland, both to be a Member of the Board of Trustees of the Federal Supplementary Medical Insurance Trust Fund for a term of four years, a Member of the Board of Trustees of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund, and a Member of the Board of Trustees of the Federal Hospital Insurance Trust Fund for a term of four years, 9:30 a.m., SD–215.

Committee on Foreign Relations: Subcommittee on Africa and Global Health Policy, to hold hearings to examine U.S. sanctions policy in Sub-Saharan Africa; to be immediately followed by a hearing to examine the nominations of Geeta Pasi, of New York, to be Ambassador to the Republic of Chad, Anne S. Casper, of Nevada, to be Ambassador to the Republic of Burundi, and Mary Beth Leonard, of Massachusetts, to be Representative of the United States of America to the African Union, with the rank and status of Ambassador, 2:15 p.m., SD–419.

Committee on Indian Affairs: business meeting to consider S. 2417, to amend the Indian Health Care Improvement Act to allow the Indian Health Service to cover the cost of a copayment of an Indian or Alaska Native veteran receiving medical care or services from the Department of Veterans Affairs, and S. 2916, to provide that the pueblo of Santa Clara may lease for 99 years certain restricted land; to be immediately followed by an oversight hearing to examine improving interagency forest management to strengthen tribal capabilities for responding to and preventing wildfires, including S. 3014, to improve the management of Indian forest land, 2:15 p.m., SD–628.

Committee on Judiciary: Subcommittee on Immigration and the National Interest, to hold hearings to examine the H–2B Temporary Foreign Worker Program, focusing on examining the effects on Americans’ job opportunities and wages, 2:30 p.m., SD–226.

Committee on Small Business and Entrepreneurship: business meeting to consider S. 2992, to amend the Small Business Act to strengthen the Office of Credit Risk Management of the Small Business Administration, S. 3009, to support entrepreneurs serving in the National Guard and Reserve, and S. 3024, to improve cyber security for small businesses, Time to be announced, Room to be announced.

House

Subcommittee on Commerce, Manufacturing, and Trade, markup on the “FTC Process and Transparency Reform Act of 2016”; H.R. 5111, the “Consumer Review Fairness Act”; H.R. 5092, the “Reinforcing American Made Products Act”; and H.R. 5104, the “Better Online Ticket Sales Act”, 5 p.m., 2123 Rayburn.

Committee on Financial Services, Task Force to Investigate Terrorism Financing, hearing entitled “The Enemy in Our Backyard: Examining Terror Funding Streams from South America”, 9 a.m., 2128 Rayburn.


Committee on the Judiciary, Full Committee, markup on H.R. 4768, the “Separation of Powers Restoration Act of 2016”, 10 a.m., 2141 Rayburn.

Committee on Rules, Full Committee, hearing on H.R. 5278, the “Puerto Rico Oversight, Management, and Economic Stability Act”; and H.R. 5325, the “Legislative Branch Appropriations Act, 2017”, 3 p.m., H–313 Capitol.

Committee on Science, Space, and Technology, Subcommittee on Environment, hearing entitled “Private Sector Weather Forecasting: Assessing Products and Technologies”, 9:30 a.m., 2318 Rayburn.

Committee on Ways and Means, Subcommittee on Health, hearing on Member proposals to improve and sustain the Medicare program, 2 p.m., 1100 Longworth.
Next Meeting of the **SENATE**
9:30 a.m., Wednesday, June 8

**Senate Chamber**


At 10:30 a.m., Senate will recess subject to the call of the Chair for the 11 a.m. joint meeting with His Excellency Narendra Modi in the Hall of the House of Representatives.

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Next Meeting of the **HOUSE OF REPRESENTATIVES**
10 a.m., Wednesday, June 8

**House Chamber**

Program for Wednesday: Joint Meeting with the Senate to receive His Excellency Narendra Modi, Prime Minister of India. Consideration of H.R. 4775—Ozone Standards Implementation Act of 2016 (Subject to a Rule). Consideration of the following measure under suspension of the rules: House Amendment to S. 2276—PIPS Act of 2016.

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**Extensions of Remarks, as inserted in this issue**

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