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Senate

The Senate met at 3 p.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, our shelter and shield, today we remember 9/11. As we recall the tragedy, infamy, and heroism of that day, we better understand that freedom isn't free. We remember how the pain united us so that we knew we were not hyphenated Americans but one people. Infuse us in these contentious times with a similar spirit of oneness, inspiring us to work for the wellbeing of all people.

Lord, we are grateful for the protection You have provided us for the 16 years since that calamitous day. May we continue to trust You to be our refuge for the future of this land we love. Continue to use our lawmakers as instruments of Your peace as they strive to make justice roll down like waters and righteousness like a mighty stream.

We pray in Your strong 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.

MOMENT OF SILENCE IN REMEMBRANCE OF THE LIVES LOST IN THE ATTACKS OF SEPTEMBER 11, 2001

The PRESIDENT pro tempore. Under the previous order, the Senate will observe a moment of silence in remembrance of the lives lost in the attacks of September 11, 2001.

(Moment of silence.)

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. YOUNG). The majority leader is recognized.

REMEMBERING SEPTEMBER 11 AND HURRICANE IRMA DISASTER RELIEF

Mr. McCONNELL. Mr. President, today we opened the Senate with a moment of silence. We remember all those lost 16 years ago on September 11, 2001, the day that changed our Nation in profound ways.

It wrenched our hearts with grief. It opened our eyes to cruel threats from afar. But it could neither extinguish the basic decency that unites us as a people nor the common humanity that defines us as a nation.

It could not stop first responders from rushing toward danger to save others. It could not stop Americans from donating to strangers in need or volunteering their time to help. It could not stop the people of our country from being who they are: kind, caring, compassionate.

It is the same spirit we see again in response to Hurricane Harvey. It is the same spirit that is giving hope to those in the path of Hurricane Irma. Although the full extent of Irma's impact will not be known for some time, it is clear that this intense storm is causing widespread damage, and it is clear that the recovery will require a massive undertaking. Our thoughts are with those in the areas affected by Irma.

We are again prepared to play our role in the recovery. Congress passed a critical downpayment on disaster relief last week. If more assistance is required due to Irma, we are ready to do what is needed.

What is most important, I think, is the knowledge that the American people and our first responders will again be there to reach out to do whatever is needed to help. That is especially true on a day like today.

We will never forget the thousands of innocent lives taken from us 16 years ago. We will never forget the heroism of our first responders and the compassion of our neighbors, nor will we forget the thousands of men and women who have stood guard to protect us every day since.

NATIONAL DEFENSE AUTHORIZATION BILL

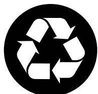
Mr. McCONNELL. Mr. President, our servicemembers voluntarily put their lives on the line to protect us, and, in return, we must keep our commitments to them. Today we will begin debate on the National Defense Authorization Act, the bill that allows Congress to authorize resources, capabilities, and the pay and benefits our men and women need to perform their missions.

For more than five decades, Congress has acted every year to fulfill this responsibility by passing the Defense authorization bill. We will have our opportunity to do so again this week. This legislation, which was reported out of committee unanimously, will signal support for our servicemembers with more of the capabilities they need to be successful against an array of threats all across the globe.

After years of failed defense policy under the previous administration, this year's NDAA will make significant and necessary strides toward keeping America safer. It will do so by authorizing the beginning steps to rebuild our military, to invest in modernization, and to restore readiness; by reforming the Pentagon and reducing waste; by restoring missile defense and responding to cyber threats; and by reviving troop morale with a pay increase they deserve and continued reform of the benefits that they and their families rely on.

I think it is fair to say that no Senator understands the importance of this legislation quite like Senator

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.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MCCAIN, the chairman of the Armed Services Committee. His commitment to our Nation's heroes is unfailing, which is why, amidst his own battles, Chairman MCCAIN has returned to the Senate to manage this bill and see it through passage. We are all proud to have him with us now.

As we begin considering this bipartisan defense authorization, Members from both sides will have opportunities to work with Senator MCCAIN and to offer amendments. Ultimately, we will keep working to find consensus so that we can pass this critical defense legislation without further delay.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

REMEMBERING SEPTEMBER 11

Mr. SCHUMER. Mr. President, 16 years ago today, my city, our country, changed forever. On September 11, 2001, our country was attacked; the World Trade Center towers fell; the Pentagon was in flames; and the smoke rising from an empty field in Pennsylvania reminded us that as cataclysmic as the attack was, the conspirators had planned even greater destruction.

It was a day of fear and helplessness, of phones ringing endlessly—when they worked—husbands calling wives, wives calling husbands, folks in search of brothers, sisters, neighbors, and colleagues.

I will never forget the next day. President Bush provided a plane so that Senator Clinton and I could fly back to New York. The smell of death was in the air. Lined up outside before you entered into the grounds where the Twin Towers were, were hundreds of people with little signs with pictures: Have you seen my father Jim? Have you seen my daughter Mary? That will stay with me forever.

More than 3,000 souls were taken from us—a guy I had played basketball with in high school, a businessman who had helped me on my way up, a firefighter with whom I had done blood drives. It was one of the bloodiest days on American soil since the Civil War.

On September 12, 2001, I called on Americans to wear the flag in a sign of solidarity. Every day since, I have worn this flag in remembrance of those who were lost and those brave souls who died rushing to the towers to find those who still might be alive. God willing, I will wear it every day of my life for the rest of my life.

September 11 was one of those before-and-after moments. Nothing has been the same since. We awakened to a new manner of evil that had previously been beyond our imagination.

But on this day, as we solemnly remember those who were taken from us, let us also remember what that day revealed about us. ''On a normal day, we value heroism because it is uncommon,'' wrote Nancy Gibbs of Time Magazine 3 days after the attack. ''On Sept. 11, we valued heroism because it was everywhere.''

Firefighters and police and union workers searched, undaunted, through dust and smoke, through fire and ash, for citizens who might still be alive, trapped in the rubble. Average Americans pulled the wounded to safety. Folks from coast to coast lined up for blood drives and pooled their money for donations.

I will never forget the picture of a man who owned a shoe store two blocks north of the towers and was giving out shoes to everyone because they didn't have theirs on as they rushed to get out of the towers—just a small act of charity and selflessness. It was repeated over and over again because those kinds of acts are deep in the American soul.

This morning I came from the 9/11 Memorial in New York City. Where once there were mighty towers, now there are two deep scars in the Earth. But all around the memorial, New York City is alive and thriving.

In the days after, they wrote it off. They said that no one would live south of Canal or Chamber Street, companies would flee, and New York's greatest days were over. But we New Yorkers are a tough breed. We rebuilt. We came back stronger.

On this day, we should always remember that beside our distinctive spirit of independence, resilience, and uncommon heroism are essential parts of the American character.

I do have to say how proud I am of my city. Downtown is bustling, and 50,000 people live there who didn't live there before. Businesses have relocated. It is a new ''in'' area. Bin laden is gone. The evil men with him are gone. We thrive.

God bless America.

HURRICANE IRMA DISASTER RELIEF

Mr. SCHUMER. Mr. President, as Hurricane Irma continues to buffet Florida, our thoughts and prayers are with the people of Florida and the rest of the Southeast that is in the storm's path. The Democratic caucus and I stand ready to work with the majority leader and his caucus, members of the administration, and officials in Florida to provide them with the resources and aid they need.

Just as we were able to speedily pass an aid package after Harvey, I expect we will come together to support rescue and recovery efforts in the wake of Hurricane Irma and in some of the other disasters, particularly the fires out west.

NATIONAL DEFENSE AUTHORIZATION BILL

Mr. SCHUMER. Mr. President, this week we will begin consideration of the National Defense Authorization Act, as we do each year. As usual, there are hundreds of amendments that have already been filed and a whole lot of tough issues to consider. We Democrats want to work in a constructive and productive manner to process as many of these amendments as possible and work through even the most difficult of issues.

I know that Chairman MCCAIN and Ranking Member REED have an excellent working relationship, as well as a great deal of respect for one another. I hope they can build a strong managers' package that will be acceptable to both sides.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2018—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to H.R. 2810, which the clerk will report.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 175, H.R. 2810, a bill to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

The PRESIDING OFFICER. The assistant Democratic leader.

Mr. DURBIN. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, when we finish this period of morning business, which is open to speeches and statements on many different topics, we will then go to the Defense authorization bill. Our process in the Senate is to authorize spending and then to appropriate the money for the actual spending. Occasionally, those two things are in sync, but many times they are not. I am afraid that what we face today is uncertainty.

Senator MCCAIN, who is the chairman of the defense authorization committee, will bring his proposal to the floor, but it is at a spending level that is not allowed by current law. The Budget Control Act will not allow Senator MCCAIN or the Senate to spend at

the level at which he wants to spend. I can make a good argument that the statutory level we are required to hold to is inadequate to our national defense. If we are honest about taking care of the problem, we not only have to pass this authorization bill, but we have to change the Budget Control Act so that we can put more money into our national defense. That debate will get started this week. It is near and dear to Senator MCCAIN's heart. He works hard on it each year with Senator JACK REED, a Democrat from Rhode Island.

There will be many amendments considered, I am sure, during the course of this week on Defense authorization.

DACA

Mr. President, what I come to the floor to speak to as in morning business is not that issue; it is the issue of DACA and the Dreamers. It was just 6 days ago that the announcement was made by Attorney General Jeff Sessions that he was going to rescind the DACA Program.

A quick history. Sixteen years ago, I introduced a bill called the DREAM Act. The DREAM Act was written to take care of young people who, by their parents, were brought to the United States as infants and toddlers and young boys and girls and who grew up in this country. They did not get into trouble with the law. They finished school and always thought that they were going to be Americans and that they would use their education and their skills to build lives in this country. However, because their parents either came here undocumented or did not file the appropriate papers, these young people are literally without a country. The country they grew up in does not accept them under the law. So 16 years ago I introduced the DREAM Act and said: Let's take care of this problem. These young people, as it was through no fault of their own, should be given a chance to stay in this country and be part of its future.

I passed it in the Senate, and I have seen it passed in the House. We have never quite been able to bring it together in any one year and have it pass both Chambers, so it is not the law of the land. Sixteen years ago, I introduced it, and it is still not the law of the land.

In the meantime, Senator Obama, my colleague in the Senate, cosponsored the DREAM Act and then got a promotion. As President of the United States, I asked him: Can you do something to protect these young people from being deported?

He said that he would, so by Executive order, he created something known as DACA, the DACA Program, by which young people come forward, turn themselves in, register with the United States, pay a filing fee to cover all of the costs of the process, and go through a criminal background check. If they are approved and cleared, for 2 years, they can stay in the United States without having the fear of being deported, and they are allowed to work. Then, 2 years later, it is renewable. Over the years President Obama had done that, 780,000 young people signed up, went through the background check, and were approved under DACA.

Last week, President Trump, through his Attorney General, announced that he was going to rescind the DACA Program. So the 780,000 young people have their futures in doubt. They do not know which way they are going to turn. This creates serious problems, as you might imagine. The young people who are affected by it are affected emotionally—I would be, too—because they do not know what is going to happen next. They do not know whether they are going to be allowed to stay in this country, whether they will be deported from this country, or whether they will be able to work legally. They are waiting for Congress to give the answer, and the President says he is waiting for Congress to give the answer.

Last Friday, I went back to Chicago, which I am honored to represent in the Senate, and I visited Loyola University's School of Medicine. It is known as the Stritch School of Medicine.

At the outset, let me say how proud I am to represent the city and especially to represent Loyola University.

Here is what they did in their medical school when President Obama created DACA. They said: We will open up competition for our medical school to include those who are protected by DACA. We will not give them special slots, and we will not give them a quota. They can compete with everybody else who wants to go to our medical school.

Do you know what happened? At the end of the day, 32 of those DACA applicants scored so high that they were accepted at Loyola's Stritch School of Medicine. They are now in 2 or 3 different years of classes. It is amazing. Many of them, from all over the United States, grew up without having legal citizenship status and always dreamed of being doctors, but it was impossible. They knew that no medical school would accept them. And Loyola said: We will accept you, and they got their chance—32 of them.

There is more to the story, as these young people do not qualify for any government assistance from the Federal Government. Because they are undocumented, they do not qualify for Pell grants, and they do not qualify for Federal Government loans. Medical school is expensive. How are they going to do it? They worked their way through college, paying out of their own pockets. How are they going to pay for medical school? Our State, the State of Illinois, under Governor Pat Quinn and renewed under Governor Rauner, created a loan program for them from which they could borrow money from the State. But there was a catch: For every year they borrowed money to go to medical school at Loyola, they had to pledge that they would give 1 year of service, of their lives, as doctors in underserved communities in our State. They did it. Thirty-two of them signed up for it. I am very proud to say that the program has been a terrific success in our State. They are just extraordinary, along with the other students at the medical school.

They are special people. They come from all over the world, and they are all in this similar predicament, but until last week, they were protected by DACA. What happens when you take away the DACA Executive order, which President Trump said he will do over the next 6 months? There is a special challenge here. After they finish 4 years of medical school, these students apply for residencies, whereby they pursue their specialties, whatever they might be. A residency is work experience for all of these medical students. Through some university, they will be working as residents at hospitals, working long hours while pursuing their dreams of being doctors and specialists.

Here is the problem: With DACA's being gone, they no longer have the legal right to work in the United States. What does that mean? They cannot apply for residencies. This is the end of it, the end of their medical education. It stops right there. Whatever their ambitions might be, whether it is surgery or psychiatry, they cannot go forward without DACA.

It really puts a burden on us in Congress to decide what we are going to do, doesn't it? Are we going to pass a law that finally, once and for all, defines the legal status of these young people—not just for these medical students but for hundreds of thousands of others who are working? They are engineers. They are teachers. They are working in so many different areas, and they want to continue being part of this country.

I am encouraged that we have a bipartisan response. My colleague Senator LINDSEY GRAHAM, a Republican from South Carolina, is my lead cosponsor on this year's version of the Dream Act. We currently have three other Republican Senators who have joined as cosponsors from across the United States—Senator MURKOWSKI from Alaska, Senator FLAKE from Arizona, and Senator GARDNER from Colorado. We hope others will join them. If we get the critical 60 votes in the Senate—60 sponsors or 60 who will pledge to vote for it—we can pass the Dream Act once and for all and take care of the concerns of the medical students I mentioned and so many others across this country.

I have come to the floor over the last few years and told the stories of the Dreamers. I think these stories have created good impressions in people's minds about who these young people are and what they can do for the future of the United States. I would like to do that again today.

This is Harminder Saini. Harminder was 6 years old when his family moved

to the United States from India. He grew up in Queens in New York City. He was a typical American kid—played sports and went to the park every day. Harminder's dream was to serve his country as a soldier in the U.S. Army. In his words, he simply wanted to give back.

Harminder was a born leader, and in high school, he was active in student government and was ultimately elected class president. He first learned that he did not have legal immigration status when he was in high school and he could not get a driver's license. They explained to him that he did not have the necessary legal documentation to be in this country. He was brought here as a kid and is growing up. He is now a student at Hunter College at the City University of New York and is working toward his bachelor's degree in history.

Thanks to DACA, he is fulfilling his dream. Last year, he was able to enlist in the Army through the Military Accessions Vital to National Interest Program, known as MAVNI. This photo is from his enlistment ceremony.

The MAVNI Program allows immigrants with skills that are vital to our national interests to enlist in the Armed Forces. More than 800 DACA recipients with these skills—the people whom I described earlier—have joined America's military. They really want to be part of our country.

Now, some Trump administration officials claim that DACA recipients are taking away jobs from Americans. But Harminder and hundreds just like him have skills that our military couldn't find in the general population they were recruiting from. Harminder, along with many other Dreamers, is now waiting to ship out for basic training. He continues his undergraduate studies and is working full time while waiting for a chance to volunteer to serve America in the military.

Harminder said:

> All I want to do is serve. I want to do my part to give back to this country because it allowed me to serve.

Harminder and other Dreamers have so much to give to America, but without DACA—without the Dream Act—Harminder and hundreds of other immigrants with skills that are really important to our national interests will have to leave the Army. They want nothing more than to serve our country. They are prepared to die for our country. What more can we ask?

But, instead, there are those who would say that they should leave, that they should be deported. One of the President's former staff advisers, in a ''60 Minutes'' show last night, said those exact words: They should just leave.

I don't think America would be a stronger country if Harminder left. I don't think our military would be stronger without his contribution and service to our country. He should be part of America, and we can do something about it.

A friend of mine recently went to the University of Notre Dame to visit with the administration there—represented by the Presiding Officer—in the State of Indiana. It is my understanding that they have some 68 DACA recipients at Notre Dame University. There is hardly a university in this country that doesn't have DACA-eligible young people who are going to school there. Remember, they don't qualify for any Federal assistance for education, at all, because they are in an undocumented status, but they are working their way through. They are borrowing the money. They are working jobs to make sure that they reach a point where they have a future.

Now it is up to us. We have to decide what we are going to do. Senator GRAHAM, my cosponsor of the Dream Act, said a week or so ago, when we introduced the bill, that the moment of reckoning is coming. That moment is not only coming. It arrived last Tuesday.

We need Republican leaders to join us to help make the Dream Act the law of the land. Otherwise, what will happen to these young people?

As for this Senator, I have made this a major part of my public career. I feel a special kinship with these young people. Yesterday was Mexican Independence Day in Chicago. What a parade there was. It must have gone on for 2 miles. It felt like it. There were more people than you could imagine coming out with their families—people of Mexican heritage who are now part of Chicago, part of Illinois, and part of the United States. As I was marching down the street, there was a young lady and a couple of her friends walking next to me wearing princess crowns, and I started talking to them. It turned out that two of the young girls were born in the United States. The third was born in Mexico, and she is a DACA recipient. She is going to school. She thanked me for the DACA Program and said: I hope you can make it a reality again.

We have that obligation. We have that responsibility. We need to step up with this broken immigration system and make certain that, at the end of the day, we have done everything in our power to give these young people like Harminder and hundreds of thousands just like him a chance to be part of America's future.

REMEMBERING SEPTEMBER 11

Mr. President, let me just close with a brief statement. I listened to my colleague and friend Senator SCHUMER speak in very touching terms about this anniversary which we observe today—the 16th anniversary of 9/11. I can recount where I was and what I remember, as I have before on the floor, but I will not. I will just say that it changed America in so many different ways.

As I went through airport security this morning at O'Hare, which I do every single week. I thought to myself that 16 years ago it would have been unthinkable that we would put passengers—every single one of them—through this kind of security process. But that is the reality of life in a world that is dangerous, life in a world where we want to protect innocent people from the 9/11s of the future that are being plotted and planned by our enemies around the world.

I think of those whose lives were lost on 9/11. I think of those who risked their lives. I think of those whose lives will never be the same because of that day.

It is a reminder to all of us to thank God that we live in this great country, to remember our history well, to honor the men and women in the military, and the men and women in law enforcement and in medicine, who stepped up that day in a heroic way, and to make sure that we do everything in our generation so that no future generation has a similar experience.

I yield the floor.

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. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

HURRICANE IRMA

Mr. CORNYN. Mr. President, as we saw yesterday, Mother Nature once again has crippled part of our Nation. Hurricane Irma made landfall on Sunday, hitting the Lower Keys of Florida and then moving up the State's western coastline. Like Hurricane Harvey in my home State of Texas, the devastation in places like Marco Island and Orange County means tough days and long nights ahead for the residents there.

My prayers, like those of so many others, go out to those who have been impacted by this devastating storm, including those who evacuated safely but will soon travel back to Florida, finding that everything they had is gone as a result of the storm.

As Irma continues to affect Florida and the southeastern United States, we stand ready to support the people in those States just like so many did for us in Texas with Hurricane Harvey.

REMEMBERING SEPTEMBER 11

Mr. President, on another separate note, as we all have seen and recall, today is the solemn anniversary of a day that has had an even more profound impact on our country than the recent storms. September 11 will always be remembered as the day that never quite goes away, the day that remains a reminder of what can be taken from us in the blink of an eye.

I have always said that it is etched in my memory like only one other event in my lifetime, and that was in 1963 with the assassination of President John F. Kennedy. I remember where I was and what I was doing at that time when I first heard about it. Of course, I remember exactly where I was and what I was doing when I learned of the

terrible events of 9/11. I was on the telephone talking to a colleague of mine when my wife said: You need to see what is happening on the television. I turned on the TV just in time to see the second plane hit the towers in Manhattan.

Yes, it was 16 years ago that 19 Islamic terrorists snuck into our country in defiance of our laws and attended flight schools in defiance of all propriety. Sixteen years ago today, they hijacked four commercial planes full of innocent passengers and, at 8:46 a.m. on Tuesday morning, flew the first one directly into one of the tallest buildings in our largest city in the United States.

Seventeen minutes later—the event, which my wife directed my attention to on the TV set—the second plane hit, and shortly thereafter, flight 77 slammed into the western wall of the Pentagon, and Flight 93 crashed in Pennsylvania. Thanks to the heroic actions of passengers on Flight 93, that plane could have very well headed here to Washington and crashed into the Capitol, taking who knows how many lives along with it.

As it was, 3,000 people were killed that day, and afterward almost 300 million U.S. citizens saw the world anew through fresh eyes. The terrorists must have thought they could bring our Nation down, topple it as they did the twin towers, but they badly miscalculated. They were wrong. An America shocked was an America strengthened. America is sometimes called the slumbering giant which, once awakened, is a fearsome thing to behold, and that is exactly what happened after 9/11. After we all took many deep breaths and thanked God for what was left, we stood up and we fought back, united.

We primarily did that through our military—the core of our national defense—those who took the fight to al-Qaida in places like Afghanistan but also all the rest who surrounded and supported our Armed Forces and intelligence personnel every step of the way.

Sixteen years later, we continue to confront new terrorist threats and adjust to new geopolitical realities. I recall the statement of the former Director of National Intelligence, who said, after 50 years in the intelligence community, he had never seen a more diverse array of threats confronting America than he did at that time, and nothing has changed in that respect, which is why today America must maintain a sense of vigilance, a sense of purpose, and a sense of moral clarity regarding evil in all of its novel forms.

We must also ask if we are still standing behind our Armed Forces the way we committed to do following the terrible events of 9/11. We must make sure our military servicemembers have everything they need because to do otherwise is to shirk our duty and to forget how our national security is ultimately achieved.

One way we uphold that responsibility is through the National Defense Authorization Act. If passed, this would mark the 55th year it is signed into law. Later today, we will vote to take up this legislation, and I hope my colleagues will join me in supporting that vote.

The Defense authorization bill ensures that crucial Department of Defense programs are continued and establishes how our military funds will be spent. The version of the bill which has been reported out of committee helps reverse the readiness crisis created by the previous administration. In the words of my friend, our colleague from Texas, MAC THORNBERRY, chairman of the House Armed Services Committee, ‘‘We have too few planes that can fly, too few ships that can sail and too few soldiers who can deploy.’’ That sums up the situation exactly.

The Defense authorization bill exemplifies our commitment to reverse this downward trend. I don't know why it is that America tries to cash the peace dividend at every turn when we have no peace, but that is what has happened. Although the hole the previous administration placed us in is deep, this bill authorizes the funds necessary to begin restoring readiness, rebuilding capacity, and modernizing military infrastructure.

I was recently at Sheppard Air Force Base in Wichita Falls, TX, the base which trains half of all Air Force pilots in the country. They told me one of the biggest problems they have is recruiting and retaining pilots for the U.S. Air Force. While people will accept lower wages for military service because they believe in serving the country, if, because of cuts in funding for the Air Force and for the military, they simply can't fly like they need to in order to be ready for the next fight, many of them get discouraged and are tempted to go to work in the private sector where they can earn more money. So we need to make sure our troops—all of our Armed Forces—have the readiness capability, and we need to fund that appropriately.

This bill will authorize appropriations for personnel and equipment, including aircraft made in my home State—the Osprey, made in Amarillo, TX, and the F–35 made in Fort Worth.

Finally, the Senate version will also authorize critical funding to increase maritime capacity as well. Back in the 1980s, the Navy had about 600 ships; today, we have 277, less than half. It is crucial that we procure ships, aircraft, and munitions, continue to develop our new military technology on our existing platforms and in the evolving cyber domain, and reduce our shortfall in end strength—that we do all of those things. These steps will provide our servicemembers with the training and equipment necessary to defeat ISIS, al-Qaida, and terrorist and state actors that threaten the United States and our way of life.

Perhaps even more significant, in terms of the threat to the United States and world peace, sending a message to Vladimir Putin and the Russian Federation that America is no longer in retreat, but America can be relied upon as a strong partner, and America's leadership role in world affairs will be reestablished, will send a very important message of deterrence to the bullies, the tyrants, and the authoritarians around the world; to China, another major threat to international security and peace that is being so aggressive in not only developing arms that allow it to project power to different parts of the Pacific and beyond but threatens maritime transit and safe travel through places like the Strait of Malacca, where so much international trade and national security travel occur.

Our colleagues in the House have passed their version of the Defense authorization, and now it is our job to get it done. By passing a strong defense bill and authorizing the sort of resources our military needs in order for America to maintain its leadership role in the world and provide a credible threat to deter aggression on the part of our adversaries, we will leave our Nation and the world a safer place and better off. It is one small way today that we can honor the memory of those we lost 16 years ago.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. FISCHER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. ERNST). Without objection, it is so ordered.

REMEMBERING SEPTEMBER 11 AND RECOGNIZING STRATCOM

Mrs. FISCHER. Madam President, 16 years after the terrorist attacks of September 11, 2001, our Nation unites once again to honor the Americans killed on that horrific day. Our minds are filled with the haunting images of the burning towers, the crumbling structure of the Pentagon, and the smoking field in Pennsylvania. That dark day drastically changed the course of our Nation, and we will always remember where we were when we first heard the news that our country was under attack.

But 9/11 did not change who we are or the values we hold so dear. Amid the heartbreak and devastation, our citizens showed abounding courage, kindness, and love of country. In New York City, Arlington, and the scarred field in Shanksville, American flags were placed atop the rubble as symbols of determination in the face of evil. We will always remember the innocent lives lost in the attacks, and we will forever be grateful for the brave first responders who ran toward danger to help those in need.

We should also remember the significant work of the men and women of the U.S. Strategic Command in Nebraska

during this national emergency. Today, I want to recognize and honor what happened at STRATCOM on 9/11.

On that fateful day, STRATCOM's staff at Offutt Air Force Base, along with military personnel at several other U.S. bases, woke up expecting to strategize a response to a major attack against the United States. Days earlier, they had begun Global Guardian, an annual training exercise performed by the U.S. Strategic Command, the Air Force Space Command, and NORAD. The main purpose of the exercise was to test the military's command and control procedures in the event of nuclear warfare.

Leaders at STRATCOM learned during breakfast that a plane had struck the World Trade Center. When the second plane hit shortly thereafter, they understood that this had not been an accident. America was under attack.

The Global Guardian's fictional exercise was quickly canceled, and the men and women of STRATCOM responded to the day's events happening in the real world. After the FAA ordered every plane in the United States to be grounded, STRATCOM monitored the landings of thousands of civilian aircraft. Using a screen on the wall of the command post, they worked to identify which planes had been hijacked, knowing that finding these dangerous needles in the haystack of America's commercial airline industry could be the difference between safety and catastrophe.

As the day unfolded, STRATCOM leadership received a 30-minute notice that the secure location the President would be using was going to be Offutt Air Force Base. Nebraska was ready to protect the President.

Escorted by two F–15 fighters, Air Force One landed around 1:50 p.m. ADM Richard Mies, in charge of the Strategic Command at the time, picked up President Bush in his car and drove to STRATCOM's underground command post. STRATCOM staff quickly briefed the President and established a secure video link that allowed him to speak with the National Security Council and other senior officials. For 2 hours Nebraska served as the center of America's national defense before President Bush returned to Washington, and we did it well.

Nebraska is honored to host the U.S. Strategic Command Global Operations Center, and we are proud of the excellent work they did during the attacks of 9/11 to protect our country.

Year after year, this day is a reminder of tragedy and tears, but we should also recall the strength and resolve of the citizens of the greatest country on Earth. Though the threats to our way of life have and will continue to evolve, our enduring commitment to defending freedom will never waver.

Thank you, Madam President.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MORAN). Without objection, it is so ordered.

Mr. MCCAIN. Mr. President, I will address the Senate on the issue of the National Defense Authorization Act for Fiscal Year 2018.

The PRESIDING OFFICER. The Senator is recognized.

Mr. MCCAIN. Mr. President, today, our Nation commemorates the 16th anniversary of the terrorist attacks that took the lives of thousands of innocent Americans. We all join in solemn remembrance of the victims, and our hearts go out to their families.

September 11 is a fitting day for the Senate to begin the consideration of the Defense authorization bill. The anniversary of those horrific terrorist attacks should serve as a reminder of the reason brave, young Americans are currently deployed around the world, fighting on behalf of freedom. I urge my colleagues to keep in mind the meaning of this day throughout the consideration of this important legislation, which will provide our men and women in uniform the resources, equipment, and support they need to keep our Nation safe.

I would like to extend my appreciation to the majority leader for his willingness to move expeditiously to the National Defense Authorization Act for Fiscal Year 2018 and for his leadership.

I would also like to thank the Armed Services Committee ranking member, the Senator from Rhode Island, for his hard work on the NDAA. I remain appreciative of the thoughtfulness and bipartisan spirit with which he approaches national security issues.

The fact is, the NDAA is a piece of legislation in which this body—Members on both sides of the aisle—can and should take enormous pride. Not only does this legislation provide our men and women in uniform with the resources they need and deserve, but it is a product of an open and bipartisan process that represents the best of the U.S. Senate.

The Senate Armed Services Committee passed the fiscal year 2018 NDAA unanimously by a vote of 27 to 0. I repeat. The Defense authorization bill was passed by a unanimous vote of 27 to 0. That means all 14 Republican members and the 13 Democratic members of the committee voted in favor of this legislation. During the markup, the committee considered and adopted 277 amendments that were offered by both Republicans and Democrats.

Now we hope to consider the legislation under an open amendment process on the floor, which will allow all Senators to have their voices heard. This process, which is exactly how legislation is supposed to make its way through the Senate, has become disappointingly rare. For too long, partisanship and politics have triumphed over principle and policy. This legislation is an opportunity for us to reverse that trend and restore regular order in the U.S. Senate.

The need for this legislation is self-apparent to anyone who is paying attention to today's world. With global terrorist networks, increasing great power competition with Russia and China, malign Iranian influence that is spreading across the Middle East, a North Korean dictator who is racing to acquire missiles that can hit the United States with nuclear weapons, the threats to our national security have not been more complex or daunting than at any time in the past seven decades.

We must also remember that we are a nation at war, with brave young men and women who are deployed in Afghanistan, Iraq, and around the world. The NDAA is legislation that will deliver to our Armed Forces the resources, equipment, and training they need to meet the increasingly complex challenges of today's world, and it will begin the process of rebuilding our military after years of devastating defense cuts.

Let me point out what happens as a result of these mindless defense cuts, which every military leader has described as devastating to our ability to defend this Nation. Let me just remind you of the hard truth. The state of our military is eroding. We saw disturbing evidence of this reality over the summer as 42 servicemembers tragically perished in accidents during routine—I emphasize routine—training operations.

On June 17, seven sailors were killed when the USS *Fitzgerald* collided with a containership off the coast of Japan. On July 10, a Marine KC–130 crashed in Mississippi and killed all 16 troops on board. On August 21, 10 sailors perished when the USS *McCain* collided with a tanker near Singapore. On August 25, an Army Black Hawk helicopter went missing during a training mission off the coast of Yemen, and one soldier died. Just last week in Nevada, two Air Force A–10 aircraft crashed into each other. Thank God the pilots were safely ejected, but the planes were lost—at a cost of over $100 million. For the two Pacific Fleet naval collisions, ship repairs are estimated to cost more than a half a billion dollars. The lives lost in each of these incidents were priceless.

Over the past 3 years, a total of 185 men and women in uniform have been killed in noncombat accidents. During the same time, 44 servicemembers were killed in combat. The bottom line is, we are killing more of our own people in training than our enemies are in combat, and that did not happen by accident. It is a problem that is caused by this mindless sequestration and a lack, frankly, of appreciation by Members of this body and the other one of what the needs are of the men and women who are serving. It is about time that we started listening to our

military leadership who are saying that if we do not change what we are doing in the next 5 years, our enemies—our adversaries—will catch up with us.

This legislation authorizes a base defense budget that, together with the administration's request of $8 billion for other defense activities, supports a total defense budget of $640 billion in funding for the Department of Defense and the national security programs of the Department of Energy. The legislation also authorizes $60 billion for overseas contingency operations. In total, the NDAA supports a national defense topline of $700 billion.

This funding is critical to begin addressing the readiness shortfall and modernization crisis caused by the self-inflicted wounds of the Budget Control Act, sequestration, and repeated continuing resolutions. We need look no further than recent headlines, as I mentioned, of fatal incidents during routine training operations for evidence of the deteriorated state of our military.

These ship collisions and aviation accidents are taking the lives of our servicemembers at an alarming rate. In fact, in the last 3 years, we have killed four times as many of our own soldiers in peacetime training operations than our enemies have in combat. While there is plenty of responsibility to go around, we cannot ignore Congress's role. Years of budget cuts have forced our military to try to do too much with too little.

Meanwhile, our adversaries are investing heavily in their own militaries, developing future warfare capabilities intended to erode our military advantage. Simply put, we cannot wait any longer to recapitalize our forces and restore our capabilities.

Another important aspect of the NDAA is that it builds on the reforms this Congress has passed in recent years. By continuing important efforts to reorganize the Department of Defense, spur innovation and defense technology, and improve defense acquisition and business operations, the NDAA seeks to strengthen accountability and streamline the process of getting our warfighters what they need to succeed. At the same time, it prioritizes accountability from the Department and demands the best use of every taxpayer dollar.

The NDAA will also improve the quality of life for our men and women in uniform and those who support them. The legislation authorizes a 2.1-percent pay raise for our troops. It improves military family readiness and supports the civilians and contractors who work together with our Armed Forces to achieve the mission.

Finally, the NDAA provides necessary assistance for our allies and partners around the world who are dedicated to advancing the cause of freedom, deterring the aggression of our adversaries, and defeating the scourge of terrorism.

These are the reasons why this legislation is more vital than ever. Congress's most important constitutional responsibility is providing for the common defense. Consideration of the National Defense Authorization Act each year is one of the ways that we live up to that duty.

I guess we are going to have cloture on this bill. We don't need it. We shouldn't have to have it. We should move immediately to this legislation. Those who want to impose blockades to moving forward, to allowing other Members to have their amendments proposed and voted on, are doing the men and women who are serving our Nation a great disservice. The world is in more turmoil than it has been in 70 years. We cannot waste precious time and effort because one Senator has one amendment and he or she is then willing to block the whole process. Let's not do that this year. We can get around it. But what it does is deprive other Members of their ability to debate and have votes on their issues.

So I hope my colleagues, once we vote for cloture, will agree to move forward with the bill. We can finish in the next couple of days, and we can give the American people and the men and women who defend this Nation a product we can be proud of.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. COTTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLOTURE MOTION

Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

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 motion to proceed to Calendar No. 175, H.R. 2810, an act to authorize appropriations for fiscal year 2018 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.

John McCain, David Perdue, Thom Tillis, Deb Fischer, Roy Blunt, Mike Rounds, Pat Roberts, John Boozman, Tom Cotton, Ben Sasse, Mike Crapo, Lindsey Graham, John Thune, John Cornyn, Roger F. Wicker, Richard Burr, Mitch McConnell.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to H.R. 2810, an act to authorize appropriations for fiscal year 2018 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, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Arizona (Mr. FLAKE), the Senator from South Carolina (Mr. GRAHAM), the Senator from Georgia (Mr. ISAKSON), the Senator from Florida (Mr. RUBIO), the Senator from South Carolina (Mr. SCOTT), and the Senator from Alabama (Mr. STRANGE).

Further, if present and voting, the Senator from Florida (Mr. RUBIO) would have voted ''yea.''

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Florida (Mr. NELSON) are necessarily absent.

The PRESIDING OFFICER (Mr. LANKFORD). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 89, nays 3, as follows:

[Rollcall Vote No. 193 Leg.]

YEAS—89

Alexander	Ernst	Moran
Baldwin	Feinstein	Murkowski
Barrasso	Fischer	Murphy
Bennet	Franken	Murray
Blumenthal	Gardner	Perdue
Blunt	Gillibrand	Peters
Booker	Grassley	Portman
Boozman	Harris	Reed
Brown	Hassan	Risch
Burr	Hatch	Roberts
Cantwell	Heinrich	Rounds
Capito	Heitkamp	Sasse
Cardin	Heller	Schatz
Carper	Hirono	Schumer
Casey	Hoeven	Shaheen
Cassidy	Inhofe	Shelby
Cochran	Johnson	Stabenow
Collins	Kaine	Sullivan
Coons	Kennedy	Tester
Corker	King	Thune
Cornyn	Klobuchar	Tillis
Cortez Masto	Lankford	Toomey
Cotton	Leahy	Udall
Crapo	Lee	Van Hollen
Cruz	Manchin	Warner
Daines	Markey	Warren
Donnelly	McCain	Whitehouse
Duckworth	McCaskill	Wicker
Durbin	McConnell	Young
Enzi	Merkley	

NAYS—3

Paul	Sanders	Wyden

NOT VOTING—8

Flake	Menendez	Scott
Graham	Nelson	Strange
Isakson	Rubio	

The PRESIDING OFFICER. On this vote, the yeas are 89, the nays are 3.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The PRESIDING OFFICER. The Senator from North Dakota.

CONGRATULATING MISS AMERICA 2018, CARA MUND

Mr. HOEVEN. Mr. President, I rise today to honor the new Miss America. That is Cara Mund, a former intern in my office up until the end of last year. Last night she made history and became the first Miss North Dakota to win the title of Miss America.

My wife Mikey and I were watching the pageant on TV and cheering for Cara throughout the competition. We, like North Dakotans across our State, were very excited when she was crowned Miss America. The amazing thing is that she had actually tried four times to win the Miss North Dakota pageant. She won the Miss North Dakota pageant on her fourth try, and then she went on to win the Miss America pageant. It is just an amazing story of somebody who decided she were going to accomplish a goal and did so. It is truly amazing and inspirational to anyone who sets out to achieve something really worthwhile, and it shows what determination can do.

Cara is truly impressive, and we are so proud to have her representing North Dakota and, of course, now the entire Nation as Miss America. Following graduation from Brown University with a degree in business, entrepreneurship, and organizations, Cara served as an intern here in my Washington, DC, office. She did a tremendous job. As I say, she was with us for half of last year. So she started about midyear and finished up at the end of the year. Again, she did tremendous work for us, and we are so appreciative of having her with us.

While only 23, she has a long history of public and community service. For the past 10 years, she has organized the annual Make-a-Wish fashion show, which has raised more than $78,500 to make dreams come true for more than 20 kids who have faced life-altering conditions. It is only fitting that after spending so much of her life making others' dreams come true, Cara's own dreams were made a reality last night. She is so well-deserving of the title, and I know that continued service to others and public service will be part of her life's work.

She is going on to law school at Notre Dame after, of course, taking a year as Miss America and touring around the country and doing what I know will be a fabulous job as Miss America. Then she wants to go on to law school at Notre Dame, where she has already been accepted.

I know she has a real interest in public service and maybe even some day running for Governor or another elective office. I have no doubt that whatever she decides to do, she will be successful, and, more importantly, she will do a great job for others. She will do a great job for many other people. She has such a good heart, and she is such a great young person—exactly the kind of person that we need out there helping face the challenges we face as a nation, setting a great example, and doing things for so many others that makes such a difference in their lives.

She is well-deserving of the title. She represents our State so well, and we have no doubt that she will continue to make us proud as Miss America.

Congratulations, again, to Miss America 2018, Cara Mund. She is fantastic.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. McCONNELL. 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. McCONNELL. Mr. President, I ask unanimous consent that, notwithstanding rule XXII, Senator PAUL be given up to 4 hours of postcloture debate on the pending motion to proceed.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, notwithstanding the provisions of rule XXII, I ask unanimous consent that at 2:15 p.m. on Tuesday, September 12, the Senate proceed to executive session for consideration of Calendar No. 110, the nomination of Kevin Hassett to be Chairman of the Council of Economic Advisers. I further ask that there be 20 minutes of debate on the nomination equally divided in the usual form; that following the use or yielding back of time, the Senate vote on confirmation with no intervening action or debate; that if confirmed, the motion to reconsider be considered made and laid upon the table; that the President be immediately notified of the Senate's action and the Senate resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING DAVID "TED" EYRE

Mr. HATCH. Mr. President, today I wish to pay tribute to one of Utah's great public servants, a loving husband, father, and grandfather and a remarkable leader, David "Ted" Eyre. Sadly, Ted recently lost his battle with cancer. He leaves behind a grieving community that he served for many years as mayor of Murray City.

Ted had a strong, yet kind demeanor that inspired others to work hard and do what was best for their community. As mayor, he made a tremendous impact on the infrastructure and neighborhoods of Murray City, a thriving community tucked into the Salt Lake Valley.

Ted was able to accomplish many important things for the local community, including: improving Murray Park, the heart of the city; acquiring the historic Murray Theater, Murray Chapel, and Murray Mansion that will serve as gathering places for years to come; expanding Fashion Place Mall and the University of Utah Midvalley Health Center; acquiring properties in the downtown redevelopment area for a new city hall and fire station; and adopting a new general city plan.

Ted had two great passions—aviation and people. Both interests guided him in his decisions throughout his life. He received a degree in aviation science at San Bernardino Valley College. As a young man, he enlisted in the U.S. Army and served in the Vietnam war flying a U–21 Ute transport aircraft in the aviation division of the signal corps. After his military service, he continued his love of flying and excelled as an airline pilot for 30 years for Western and later Delta Airlines, serving as captain for much of that time.

On January 7, 2014, Eyre was sworn in as the mayor of Murray City, quickly endearing himself as a capable leader who valued the input of all and who fought hard to prepare the community for the future. Mayor Eyre left an indelible imprint on the city he led and the citizens he served.

Throughout his life, Eyre not only distinguished himself as a talented pilot, courageous soldier, and devoted public servant, he also became a friend to all he came into contact with and was a beloved husband, father, and grandfather. I am grateful for the opportunity to pay tribute to a great man, his life, and the example he leaves behind. His influence will be felt for generations to come.

(At the request of Mr. SCHUMER, the following statement was ordered to be printed in the RECORD.)

VOTE EXPLANATION

● Mr. MENENDEZ. Mr. President, I was unavoidably absent for rollcall vote No. 193, the motion to invoke cloture on the motion to proceed to H.R. 2810, the National Defense Authorization Act for 2018. Had I been present, I would have voted yea.●

ARMS SALES NOTIFICATION

Mr. CORKER. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD–423.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEFENSE SECURITY COOPERATION AGENCY,
Arlington, VA.

Hon. BOB CORKER,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 16–35, concerning the Army's proposed Letter(s) of Offer and Acceptance to the Government of the Kingdom of Bahrain for defense articles and services estimated to cost $27 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

CHARLES W. HOOPER,
Lieutenant General, USA, Director.

Enclosures.

1. TRANSMITTAL NO. 16–35

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: The Kingdom of Bahrain.

(ii) Total Estimated Value:

Major Defense Equipment* $21 million.

Other $6 million.

Total $27 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):

One-hundred and seven (107) TOW 2A, Radio Frequency (RF) Missiles (BGM–71–4B–RF).

Seventy-seven (77) TOW 2B Aero, RF Missiles (BGM–71F–Series).

Thirty-seven (37) TOW Bunker Buster (BB), RF Missiles (BGM–71–Fl–RF).

Non-MDE:

This request also includes the following Non-MDE: Government Technical Support/Logistical Support, Contractor Technical Support, and other associated equipment and services.

(iv) Military Department: Army.

(v) Prior Related Cases, if any: None.

(vi) Sales Commission, Fee, etc. Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.

(viii) Date Report Delivered to Congress: September 8, 2017.

*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Bahrain—TOW 2ARF Missile (BGM–71–4B–RF), TOW 2B RF Missiles (BGM–71F–Series). TOW BB RF Missiles (BGM–71–F1 RF)

The Government of Bahrain has requested:

Major Defense Equipment (MDE):

One-hundred and seven (107) TOW 2A, Radio Frequency (RF) Missiles (BGM–71–4B–RF).

Seventy-seven (77) TOW 2B Aero, RF Missiles (BGM–71F–Series).

Thirty-seven (37) TOW Bunker Buster (BB), RF Missiles (BGM–71–Fl–RF).

Non-MDE:

The request also includes the following Non-MDE: Government Technical Support/Logistical Support, Contractor Technical Support, and other associated equipment and services.

The estimated value of MDE is $21 million. The total overall estimated value is $27 million.

This proposed sale will contribute to the foreign policy and national security of the United States by helping to improve the security of a major Non-NATO ally, which has been and continues to be an important security partner in the region.

The proposed sale of TOW 2A, TOW 2B, TOW BB missiles, and technical support will advance Bahrain's efforts to develop an integrated ground defense capability. Bahrain will use the capability as a deterrent to regional threats and to strengthen its homeland defense. This sale will also improve interoperability with United States and regional allies. Bahrain will have no difficulty absorbing this equipment into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The principal contractor will be Raytheon Missile Systems, Tucson, Arizona. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will require the U.S. Government or contractor representatives to travel to Bahrain for multiple periods for equipment deprocessing/fielding, system checkout and new equipment training. There will be no more than two contractor personnel in Bahrain at any one time and all efforts will take less than two weeks in total.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 16–35

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

Annex Item No vii

(vii) Sensitivity of Technology:

1. The Radio Frequency (RF) TOW 2A Missile (BGM–71E–4B–RF) is a direct-attack missile designed to defeat armored vehicles, reinforced urban structures, field fortifications and other such targets. TOW missiles are fired from a variety of TOW launchers used by the U.S. Army, U.S. Marine Corps, and Foreign Military Sales (FMS) customers. The TOW 2A RF missile can be launched from the same launcher platforms as the existing wire-guided TOW 2A missile without modification to the launcher. The TOW 2A missile (both wire & RF) contains two tracker beacons for the launcher to track and guide the missile in flight. Guidance commands from the launcher are provided to the missile by a RF link contained within the missile case. The hardware, software, and technical publications to be provided with the sale are UNCLASSIFIED. The highest level of classified information authorized for released through the sale of the TOW 2A is SECRET.

2. The RF TOW 2B Aero Missile (BGM–71 F–3–RF) is a fly-over-shoot-down missile designed to defeat armored vehicles. TOW missiles are fired from a variety of TOW Launchers in the inventories of the U.S. Army, the U.S. Marine Corps, and Foreign Military Sales (FMS) customers. The TOW 2B Aero RF missile can be launched from the same launcher platforms as wire-guided TOW 2B and TOW 2B Aero missiles without modification to the launcher. The TOW 2B missile (both wire-guided & RF) contains two tracker beacons for the launcher to track and guide the missile in flight. Guidance commands from the launcher are provided to the missile by an RF link contained within the missile case. The hardware and technical publications to be provided with the sale are UNCLASSIFIED. Software algorithms for the system are classified SECRET. The highest level of classified information released through the sale of the TOW 2B is SECRET.

3. The RF TOW Bunker Buster (BB), BGM–71–Fl–RF is a variant of the TOW 2A that replaces the TOW 2A warhead with a high explosive blast-fragmentation warhead. This bulk charge warhead is effective against reinforced concrete walls, light armored vehicles, and earth and timber bunkers. Guidance commands from the launcher are provided to the missile by an RF link contained within the missile case. The hardware, software, and technical publications to be provided with the sale are UNCLASSIFIED. The highest level of classified information released through the sale of the TOW 2B is SECRET.

4. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements of these variants, the information could be used to develop countermeasures that might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

5. A determination has been made by the U.S. Government that the Government of Bahrain can provide the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

6. All defense articles and services listed in this transmittal have been authorized for release and export to the Government of Bahrain.

DEFENSE SECURITY COOPERATION AGENCY,
Arlington, VA.

Hon. BOB CORKER,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 16–59, concerning the Department of the Air Force's proposed Letter(s) of Offer and Acceptance to the Government of Bahrain for defense articles and services estimated to cost $1.082 billion. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

CHARLES W. HOOPER,
Lieutenant General, USA, Director.

Enclosures.

TRANSMITTAL NO. 16–59

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Bahrain.

(ii) Total Estimated Value:

Major Defense Equipment* $406 million.

Other $676 million.

Total $1.082 billion.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):

Twenty-three (23) F–110–GE–129 engines (includes 3 spares).

Twenty-three (23) APG–83 Active Electronically Scanned Array Radars (includes 3 spares).

Twenty-three (23) Modular Mission Computers (includes 3 spares).

Twenty-three (23) Embedded Global Navigation Systems/LN260 EGI (includes 3 spares).

Forty (40) LAU–129 Launchers.

Twenty-three (23) Improved Programmable Display Generators (iPDG).

Twenty-five (25) AN/AAQ–33 SNIPER Pods (MDE Determination Pending).

Two (2) AIM–9X Sidewinder Missiles.

Two (2) AGM–88B/C High-Speed Anti-Radiation Missiles (HARM).

Two (2) WGU–43 Guidance Control Unit (GCU) (for GBU–24 Paveway III).

Two (2) BSU–84 Air Foil Group (AFG) (for GBU–24 Paveway III).

Five (5) KMU–572 Joint Direct Attack Munition (JDAM) Tailkits (for GBU–38 JDAM and GBH–54 Laser JDAMs).

Two (2) GBU–39 Small Diameter Bombs (SDB) Guided Test Vehicles.

Two (2) AGM–84 Harpoon Missiles.

Three (3) MAU–210 ECCG (for GBU–50 Enhanced Paveway II).

Three (3) BLU–109 Inert Bomb Bodies.

Four (4) MK–82/BLU 111 Inert Bomb Bodies.

Two (2) FMU 152 or FMU 139 Fuzes.

Non-MDE includes:

One (1) Joint Mission Planning System, one (1) F–16V simulator, twenty (20) AN/ALQ–211 AIDEWS systems, one (1) avionics level test station, six (6) DB–110 Advanced Reconnaissance Systems, two (2) LAU–118A Launchers, forty-five (45) AN/ARC–238 SINCGARS Radio or equivalent, twenty-three (23) AN/APX126 Advanced Identification Friend or Foe (AIFF) system or equivalent, twenty-three (23) cryptographic appliques, two (2) CATM–9L/M, two (2) AIM–120C–7 Advanced Medium Range Air-to-Air Missile (AMRAAM) Captive Air Training Missiles (CATM), three (3) MXU–651 AFG (for GBU–50 Enhanced Paveway II), four (4) DSU–38 Precision Laser Guidance Sets (PLGS) (for GBU–54 Laser JDAM), four (4) AGM–154 Joint Standoff Weapon (JSOW) Captive Flight Vehicles (CFV), three (3) MK–84/BLU 117 Inert Bomb Bodies, two (2) FMU–152 D–1 Inert Fuzes, three (3) BRU–57 Bomb Racks, two (2) BRU–61 Bomb Racks for SDB, two (2) ADU–890 SDB adapter cable for CMBRE, two (2) ADU–891 AMRAAM/AIM 9X adapter cable for CMBRE, telemetry for all flight test assets, secure communications equipment, spares and repair parts, support equipment, personnel training and training equipment, publications and technical documentation, U.S. Government and contractor technical support services, containers, missile support and test equipment, integration test, site survey, design, construction studies/analyses/services, cybersecurity, critical computer resources support, force protection and other related elements of logistics and program support.

(iv) Military Department: Air Force (X7–D–QAU).

(v) Prior Related Cases, if any:

FMS Case BA–D–SGA—$330.9 million—21 Apr 87.

FMS Case BA–D–SGG—$234.9 million—20 Feb 98.

(vi) Sales Commission, Fee, etc. Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Articles or Defense Services Proposed to be Sold: See Attached Annex.

(viii) Date Report Delivered to Congress: September 8, 2017.

*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Government of Bahrain—Upgrade of F–16 Block 40 Aircraft to F–16V Configuration

The Government of Bahrain requested to upgrade its existing twenty (20) F–16 Block 40 aircraft to the F–16V configuration. The requested sale comprises of twenty-three (23) F–110–GE–129 engines (includes 3 spares); twenty-three (23) APG–83 Active Electronically Scanned Array Radars (includes 3 spares); twenty-three (23) Modular Mission Computers (includes 3 spares); twenty-three (23) Embedded Global Navigation Systems/LN260 EGI (includes 3 spares); twenty-three (23) Improved Programmable Display Generators (iPDGs) (includes 3 spares); forty (40) LAU–129 launchers; twenty-five (25) AN/AAQ–33 SNIPER Pods; two (2) AIM–9X Sidewinder Missiles; two (2) AGM–88 High-speed Anti-Radiation Missiles (HARM); two (2) WGU–43 Guidance Control Unit (GBU) Guidance Control Unit (GCU) (for GBU–24 Paveway III; two (2) BSU–84 Air Foil Group (AFG) (for GBU–24 Paveway III); five (5) KMU–572 Joint Direct Attack Munition (JDAM) Tailkits (for GBU–38 JDAM and GBU–54 Laser JDAM); two (2) GBU–39 Small Diameter Bombs (SDB) Guided Test Vehicles (GTV); two (2) AGM–84 Harpoon Exercise Missiles; three (3) MAU–210 ECCG (for GBU–50 Enhanced Paveway II); three (3) BLU–109 Inert Bomb Bodies; four (4) MK–82/BLU–111 Inert Bomb Bodies; and two (2) GMU–152 or FMU–139 Fuzes.

This sale also includes one (1) Joint Mission Planning System, one (1) F–16V simulator, twenty (20) AN/ALQ–211 AIDEWS Systems, one (1) avionics level test station, six (6) DB–110 Advanced Reconnaissance Systems, two (2) LAU–118A Launchers, forty-five (45) AN/ARC–238 SINCGARS Radio or equivalent, twenty-three (23) Advanced Identification Friend or Foe (AIFF) systems or equivalent; twenty-three (23) cryptographic appliques; two (2) CATM–9L/M, two (2) AIM–120C–7 Advanced Medium Range Air-to-Air Missile (AMRAAM) Captive Air Training Missiles (CATM), three (3) MXU–651 AFG (for GBU–50 Enhanced Paveway II), four (4) DSU–38 Precision Laser Guidance sets (PLGS) (for GBU–54 Laser JDAM), four (4) AGM–154 Joint Stand-Off Weapon (JSOW) Captive Flight Vehicles (CFV), three (3) MK–84/BLU–117 Inert Bomb Bodies, two (2) FMU–152 D–1 Inert Fuzes, three (3) BRU–57 Bomb Racks, two (2) BRU–61 Bomb Racks for SDB, two (2) ADU–890 SDB adapter cable for CMBRE, two (2) ADU–891 AMRAAM/AIM–9X adapter cable for CMBRE, Telemetry for all flight test assets secure communication equipment, spares and repair parts, support equipment, personnel training and training equipment, publications and technical documentation, U.S. Government and contractor technical support services, containers, missile support and test equipment, integration test, site survey, design, construction studies/analyses/services, associate operations, maintenance, training, support facilities, cybersecurity, critical computer resources support, force protection, and other related elements of logistics and program support. The total estimated program cost is $1.082 billion.

This proposed sale will contribute to the foreign policy and national security of the United States by helping to improve the security of a major Non-NATO ally which has been and continues to be an important security partner in the region. Our mutual defense interests anchor our relationship and the Royal Bahraini Air Force (RBAF) plays a significant role in Bahrain's defense.

The proposed sale improves Bahrain's capability to meet current and future threats. Bahrain will use this capability as a deterrent to regional threats and to strengthen its homeland defense. The upgraded F–16Vs will provide an increase in the capability of existing aircraft to sustain operations, meet training requirements, and support transition training for pilots to the upgraded aircraft. This upgrade will improve interoperability with U.S. forces and other regional allies. Bahrain will have no difficulty absorbing this upgrade into its armed forces.

The proposed sale will not affect the basic military balance in the region.

The prime contractor will be Lockheed Martin. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will require the assignment of at least five (5) additional U.S. Government representatives to Bahrain.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 16–59

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. This sale will involve the release of sensitive technology to Bahrain. The F–16V weapon system is UNCLASSIFIED, except as noted below. The aircraft utilizes the F–16C/D airframe and features advanced avionics and systems. It contains the General Electric F–110–GE–129 engine, AN/APG–83 Active Electronically Scanned Array Radars , digital flight control system, internal and external electronic warfare equipment, AN/APX126 Advanced Identification Friend of Foe (AIFF), LN260 Embedded GPS/INS (EGI), Modular Mission Computers (MMC), improved Programmable Display Generators (iPDG), AN/AAQ–33 SNIPER Pods, Multifuncation Information Distribution System Joint Tactical Radio System (MIDS-JTRS), operational flight trainer, and software computer programs.

2. Sensitive and/or classified (up to SECRET) elements of the proposed F–16V include hardware, accessories, components, and associated software: AN/APX126 Advanced Identification Friend or Foe (AIFF), cryptographic appliques, Secure communication equipment, Joint Mission Planning System, F–16V Simulator, AN/ALQ–211 AIDEWS Pods, Avionics Level Test Station, DB–110 Advanced Reconnaissance Systems, LAU–118A Launchers, and F–110–GE–129 engine. Additional sensitive areas include operating manuals and maintenance technical orders containing performance information, operating and test procedures, and other information related to support operations and repair. The hardware, software, and data identified are classified to protect vulnerabilities, design and performance parameters and other similar critical information.

3. The AN/APG–83 is an Active Electronically Scanned Array (AESA) radar upgrade for the F–16. It includes higher processor power, higher transmission power, more sensitive receiver electronics, infrared signature and Advanced Interference Blanker Units, and Synthetic Aperture Radar (SAR), which creates higher-resolution ground maps from a greater distance than existing mechanically scanned array radars (e.g., APG–68). The upgrade features an increase in detection range of air targets, increases in processing speed and memory, as well as significant improvements in all modes. The highest classification of the radar is SECRET.

4. AN/ALQ–211 Airborne Integrated Defensive Electronic Warfare Suite (AIDEWS) provides passive radar warning, wide spectrum RE jamming, and control and management of the entire Electronic Warfare (EW) system. The commercially developed system software and hardware is UNCLASSIFIED. The system is classified SECRET when loaded with a U.S. derived EW database, which will be provided.

5. AN/ARC–238 SINCGARS Radio or equivalent is considered UNCLASSIFIED, but employs cryptographic technology that is classified SECRET. Classified elements include operating characteristics, parameters, technical data, and keying material.

6. AN/APX–126 Advanced Identification Friend or Foe (AIFF) is a system capable of transmitting and interrogating Mode V and is supported by cryptographic appliques. It is UNCLASSIFIED unless/until Mode W and/or Mode V operational evaluator parameters are loaded into the equipment. Classified elements of the AIFF system include software object code, operating characteristics, parameters, and technical data are SECRET.

7. The Embedded GPS-INS (EGI) LN–260 is a sensor that combines GPS and inertial sensor inputs to provide accurate location information for navigation and targeting. The EGI LN–260 is UNCLASSIFIED. The GPS crypto variable keys needed for highest GPS accuracy are classified up to SECRET.

8. The Modular Mission Computer (MMC) is the central computer for the F–16. As such it serves as the hub for all aircraft subsystems, avionics, and weapons. The hardware and software (Operational Flight Program—OFP) are classified up to SECRET.

9. An Improved Programmable Display Generator (iPDG) will support the two color MFD's, allowing the pilot to set up to twelve display programs. One of them includes a color Horizontal Situation Display, which will be, provide the pilot with a God's eye view of the tactical situation. Inside is a 20MHz, 32-bit Intel 80960 Display Processor and a 256K battery-backed RAM system memory. The color graphics controller is based on the T.I. TMS34020 Raster Graphics Chipset. The IPDG also contains substantial growth capabilities including a high-speed Ethernet interface (10/100BaseT) and all the hardware necessary to support digital moving maps. The digital map function can be enabled by the addition of software. The hardware and software are UNCLASSIFIED.

10. Joint Mission Planning System (JMPS) is a multi-platform PC-based mission planning system. JMPS hardware is UNCLASSIFIED, but the software is classified up to SECRET.

11. DB–110 is a tactical airborne reconnaissance system. This capability permits reconnaissance missions to be conducted from very short range to long range by day or night. It is an under-the-weather, podded system that produces high resolution, dual-band electro-optical and infrared imagery. The DB–110 system is UNCLASSIFIED.

12. The SNIPER (AN/AAQ–33) targeting system is UNCLASSIFIED and contains technology representing the latest state-of-the-art in in electro-optical clarity and haze, and low light targeting capability. Information on performance and inherent vulnerabilities is classified SECRET. Software (object code) is classified CONFIDENTIAL. Overall system classification is SECRET.

13. The AIM–120C–7 Advanced Medium Range Air-to-Air Missile (AMRAAM) Captive Air Training Missiles (CATM) is a supersonic, air launched, aerial intercept, guided missile featuring digital technology and micro-miniature solid-state electronics. The missile employs active radar target tacking, proportional navigation guidance, and active Radio Frequency target detection. It can be launched day or night, in any weather and increases pilot survivability by allowing the pilot to disengage after missile launch and engage other targets. AMRAAM capabilities include lookdown/shootdown, multiple launches against multiple targets, resistance to electronic countermeasures, and interception of high- and low-flying maneuvering targets. The AMRAAM AUR is classified CONFIDENTIAL, major components and subsystems range from UNCLASSIFIED to CONFIDENTIAL, and technical data and other documentation are classified up to SECRET.

14. AIM–9X Sidewinder missile is an air-to-air guided missile that employs a passive infrared (IR) target acquisition system that features digital technology and micro- miniature solid-state electronics. The AIM–9X tactical and CATM guidance units are subsets of the overall missile and were recently designated as MDE. The AIM–9X is CONFIDENTIAL, Major components and subsystems range from UNCLASSIFIED to CONFIDENTIAL, and technical data and other documentation are classified up to SECRET. The overall system classification is SECRET.

The AIM–9X is launched from the aircraft using a LAU–129 guided missile launcher (currently in country inventory). The LAU–129 provides mechanical and electrical interface between missile and aircraft. The LAU–129 system is UNCLASSIFIED.

15. AGM–88B/C HARM is an air-to-ground missile designed to destroy or suppress enemy radars used for air defense. HARM has wide frequency coverage, is target reprogrammable in flight, and has a reprogrammable threat library. Hardware and software for the system is classified SECRET and ballistics data is CONFIDENTIAL. The overall system classification is SECRET.

The AGM–88 is launched from the aircraft using a LAU–118A guided missile launcher. The LAU–118A provides mechanical and electrical interface between missile and aircraft. The LAU–118A system is UNCLASSIFIED.

16. GBU–10/12: 2,000-lb (GBU–10) and 500-lb (GBU–12) laser-guided bombs (LGBs). The LGB is a maneuverable, free-fall weapon that guides on laser energy reflected off of the target. The LGB is delivered like a normal general purpose warhead and the laser guidance guides the weapon into the target. Laser designation for the weapon can be provided by a variety of laser target designators. The LGB consists of a laser guidance kit, a computer control group and a warhead specific air foil group, that attach to the nose and tail of Mk 84, Mk 82 bomb bodies.

a. The GBU–10: This is a 2,000lb (BLU–117 BB or Mk 84) General Purpose (GP) guided bomb fitted with the MXU–651 airfoil and the MAU–169 or MAU–209 computer control group to guide to its laser designated target.

b. The GBU–12: This is a 500lb (BLU–111/B or Mk–82) guided bomb fitted with the MXU–650 airfoil and the MAU–169 or MAU 209 computer control group to guide to its laser designated target. The weapon components are UNCLASSIFIED. Some technical data and vulnerabilities/countermeasures are SECRET. The overall weapons classification is SECRET.

17. GBU–31 and GBU–38 are 2000lb/500lb Joint Direct Attack Munitions (JDAM) JDAM is a guidance kit that converts existing unguided free-fall bombs into precision-guided ''smart'' munitions. By adding a new tail section containing Inertial Navigation System (INS) guidance/Global Positioning System (GPS) guidance to existing inventories of BLU–109, BLU–111 and BLU–117 or Mk–84 and Mk–82 bombs, the cost effective JDAM provides highly accurate weapon delivery in any ''flyable'' weather. The INS, using updates from the GPS, helps guide the bomb to the target via the use of movable tail fins. The JDAM and all of its components are UNCLASSIFIED, technical data for JDAM is classified up to SECRET.

JDAMs use the Global Positioning System (GPS) Precise Positioning System (PPS), which provides for a more accurate capability than the commercial version of GPS.

18. GBU–49 and GBU–50 are 500lb/2000lb dual mode laser and GPS guided munitions respectively. The GBU–49/50 use airfoil groups similar to those used on the GBU–12 and GBU–10 for inflight maneuverability. Weapons components are UNCLASSIFIED. Technical data and countermeasures/vulnerabilities are SECRET. The overall system classification is SECRET.

GBU–49/50s use the GPS PPS, which provides for a more accurate capability than the commercial version of GPS.

19. GBU–54/56 are the 500lb/2000lb Laser JDAM (Joint Direct Attack Munitions): These weapons use the DSU–38/B/DSU–40 laser Sensor respectively and use both Global Position System aided inertial navigations and/or laser guidance to execute threat targets. The laser sensor enhances standard JDAM's reactive target capability by allowing rapid prosecution of fixed targets with large initial target location errors (TLE). The DSU–38/B Laser sensor also provides the additional capability to engage mobile targets. The addition of the DSU–38 laser sensor combined with additional cabling and mounting hardware turns a GBU–38 JDAM into a GBU–54 Laser JDAM. The addition of the DSU–40 laser sensor combined with additional cabling and mounting hardware turns a GBU–31 JDAM into a GBU–56 Laser JDAM. Weapons components are UNCLASSIFIED. Technical data and countermeasures/vulnerabilities are SECRET. The overall system classification is SECRET.

Laser JDAMs use the GPS PPS, which provides for a more accurate capability than the commercial version of GPS.

20. GBU–39 Small Diameter Bomb (SDB): The GBU–39 small diameter bomb (SDB) is a 250-lb class precision guided munition that allows aircraft with an ability to carry a high number of bombs. The weapon offers day or night, adverse weather, precision engagement capability against pre-planned fixed or stationary soft, non-hardened, and hardened targets, with a significant standoff range. Aircraft are able to carry four SDBs in place of one 2,000-lb bomb. The SDB is equipped with a GPS-aided inertial navigation system to attack fixed, stationary targets such as fuel depots and bunkers. The SDB and all of its components are UNCLASSIFIED; technical data is classified up to SECRET.

SDBs use the GPS PPS, which provides for a more accurate capability than the commercial version of GPS.

21. The GBU–24 Paveway III is a 2000lb class low level laser guided munition that can be employed at high, medium, and low altitudes. GBU–24 components are UNCLASSIFIED. Target designation tactics and associated aircraft maneuvers, the probability of destroying specific/peculiar targets, vulnerabilities regarding countermeasures, and the electromagnetic environment is classified SECRET.

22. The AGM–154 is a family of low-cost standoff weapons that are modular in design and incorporate either a sub-munition or a unitary warhead. Potential targets for Joint Standoff Weapon (JSOW) range from soft targets, such as troop concentration, to hardened point targets like bunkers. The AGM–154C is a penetrator weapon that carries a BROACH warhead and pay load. The AGM–154 hardware, software and maintenance data is UNCLASSIFIED. Vulnerabilities and countermeasures are classified up to SECRET. Overall system classification is SECRET.

The AGM–154 uses the GPS PPS, which provides for a more accurate capability than the commercial version of GPS.

23. The AGM–84L–1 Harpoon is a non-nuclear tactical weapon system currently in service in the U S. Navy and in 28 other foreign nations. It provides a day, night, and adverse weather, standoff air-to-surface capability. Harpoon Block II is a follow on to the Harpoon missile that is no longer in production. Harpoon Block II is an effective Anti-Surface Warfare missile.

The AGM–84L–1 incorporates components, software, and technical design information that are considered sensitive. These elements are essential to the ability of the Harpoon missile to selectively engage hostile targets under a wide range of operational, tactical and environmental conditions. The following Harpoon components being conveyed by the proposed sale that are considered sensitive and are classified CONFIDENTIAL include: IIR seeker, INS, OPP software

and, missile operational characteristics and performance data. The overall system classification is SECRET.

24. M61Al 20mm Vulcan Cannon: The 20mm Vulcan cannon is a six barreled automatic cannon chambered in 20x120mm with a cyclic rate of fire from 2,500–6,000 shots per minute. This weapon is a hydraulically powered air cooled Gatlin gun used to damage/destroy aerial targets, suppress/incapacitate personnel targets, and damage or destroy moving and stationary light materiel targets. The M61Al and its components are UNCLASSIFIED.

25. Software, hardware, and other data/information, which is classified or sensitive, is reviewed prior to release to protect system vulnerabilities, design data, and performance parameters. Some end-item hardware, software, and other data identified above are classified at the CONFIDENTIAL and SECRET level. Potential compromise of these systems is controlled through management of the basic software programs of highly sensitive systems and software-controlled weapon systems on a case-by-case basis.

26. If a technologically advanced adversary were to obtain knowledge of the specific hardware or software source code in this proposed sale, the information could be used to develop countermeasures which might reduce weapon system effectiveness or be used in the development of systems with similar or advance capabilities.

27. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification. Moreover, the benefits to be derived from this sale, as outlined in the Policy Justification, outweigh the potential damage that could result if the sensitive technology were revealed to unauthorized persons.

28. A determination has been made that the recipient country can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government.

29. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

30. All defense articles and services listed in this transmittal are authorized for release and export to the Government of Bahrain.

DEFENSE SECURITY COOPERATION AGENCY,
Arlington, VA.

Hon. BOB CORKER,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 16–60, concerning the Department of the Air Force's proposed Letter(s) of Offer and Acceptance to the Government of Bahrain for defense articles and services estimated to cost $2.785 billion. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

CHARLES W. HOOPER,
Lieutenant General, USA, Director.

Enclosures.

TRANSMITTAL NO. 16–60

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) (U) Prospective Purchaser: Government of Bahrain.

(ii) (U) Total Estimated Value:

Major Defense Equipment* $2.095 billion.

Other $0.690 billion.

Total $2.785 billion.

(iii) (U) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):

Nineteen (19) F–16V Aircraft.

Nineteen (19) M61 Vulcan 20mm Gun Systems.

Twenty-two (22) F–16V F–110–GE–129 Engines (includes 3 spares).

Twenty-two (22) APG–83 Active Electronically Scanned Array Radars (includes 3 spares).

Twenty-two (22) Modular Mission Computers (includes 3 spares).

Twenty-two (22) Embedded Global Navigation Systems/LN260 EGI (includes 3 spares).

Twenty-two (22) Improved Programmable Display Generators (iPDG) (includes 3 spares).

Thirty-eight (38) LAU–129 Launchers.

Non-MDE include: Nineteen (19) AN/ALQ–211 AIDEWS Systems, thirty-eight (38) LAU–118A Launchers, forty-two (42) AN/ARC–238 SINCGARS Radio or equivalent, twenty-two (22) AN/APX–126 Advanced Identification Friend or Foe (AIFF) system or equivalent, twenty-two (22) cryptographic appliques, secure communication equipment, spares and repair parts, personnel training and training equipment, simulators, publications and technical documentation, U.S. Government and contractor technical support services, containers, missile support and test equipment, original equipment manufacturer integration and test, U.S. Government and contractor technical support and training services, site survey, design, construction studies/analysis/services, associated operations/maintenance/training/support facilities, cybersecurity, critical computer resources support, force protection and other related elements of logistics and program support.

(iv) (U) Military Department: Air Force (X7–D–SAB)

(v) (U) Prior Related Cases, if any: FMS Case BA–D–SGA—$330,927,474—21 Apr 87; FMS Case BA–D–SGG—$234,879,152—20 Feb 98.

(vi) (U) Sales Commission. Fee, etc.. Paid, Offered, or Agreed to be Paid: None.

(vii) (U) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Annex Attached.

(viii) (U) Date Report Delivered to Congress: September 8, 2017.

*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

(U) Government of Bahrain—F–16V Aircraft with Support

(U) The Government of Bahrain has requested a possible sale of nineteen (19) F–16V Aircraft; nineteen (19) M61 Vulcan 20mm Gun Systems; twenty-two (22) F–16V F110–GE–129 Engines (includes 3 spares); twenty-two (22) APG–83 Active Electronically Scanned Array Radars (includes 3 spares); twenty-two (22) Modular Mission Computers (includes 3 spares); twenty-two (22) Embedded Global Navigation Systems/LN260 EGI (includes 3 spares); twenty-two (22) Improved Programmable Display Generators (iPDG) (includes 3 spares); and thirty-eight (38) LAU–129 Launchers. This sale also includes nineteen (19) AN/ALQ–211 AIDEWS Systems, thirty-eight (38) LAU–118A Launchers, forty-two (42) AN/ARC–238 SINCGARS Radio or equivalent, twenty-two (22) AN/APX–126 Advanced Identification Friend or Foe (AIFF) system or equivalent, twenty-two (22) cryptographic appliques, secure communication equipment, spares and repair parts, personnel training and training equipment, simulators, publications and technical documentation, U.S. Government and contractor technical support services, containers, missile support and test equipment, original equipment manufacturer integration and test, U.S. Government and contractor technical support and training services, site survey, design, construction studies/analysis/services, associated operations/maintenance/ training/support facilities, cybersecurity, critical computer resources support, force protection and other related elements of logistics and program support. The total estimated program cost is $2.785 billion.

(U) This proposed sale will contribute to the foreign policy and national security of the United States by helping to improve the security of a major Non-NATO ally, which has been and continues to be an important security partner in the region. Our mutual defense interests anchor our relationship and the Royal Bahraini Air Force (RBAF) plays a significant role in Bahrain's defense.

(U) The proposed sale improves Bahrain's capability to meet current and future threats. Bahrain will use the capability as a deterrent to regional threats and to strengthen its homeland defense. This purchase of F–16Vs will improve interoperability with United States and other regional allies. Bahrain employs 20 older F–16 Block 40s and will have no difficulty absorbing these aircraft into its armed forces.

(U) The proposed sale of these aircraft will not alter the basic military balance in the region.

(U) The prime contractor will be Lockheed Martin. There are no know offset agreements proposed in connection with this potential sale.

(U) Implementation of this proposed sale will require the assignment of at least ten (10) additional U.S. Government representatives and approximately seventy-five (75) contractor representatives to Bahrain.

(U) There will be no adverse impact on U.S. defense readiness as aresult of this proposed sale.

TRANSMITTAL NO. 16–60

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) *Sensitivity of Technology:*

1. (U) This sale involves the release of sensitive technology to Bahrain. The F–16C/D Block V weapon system is unclassified, except as noted below. The aircraft uses the F–16 airframe and features advanced avionics and systems. It contains the General Electric F–110–129 engine, AN/APG–83 radar, digital flight control system, internal and external electronic warfare (EW) equipment, Advanced Identification Friend or Foe (AIFF), operational flight trainer, and software computer programs.

2. (U) Sensitive or classified (up to SECRET) elements of the proposed F–16V include hardware, accessories, components, and associated software: AN/APG–83 AESA Radars, Modular Mission Computers, Advanced Identification Friend or Foe (AIFF), cryptographic appliques, Embedded Global Positioning System/Inertial Navigation System, Modular Mission Computer (MMC), AN/ALQ–211 AIDEWS Systems, LAU–129 Launchers, Modular Mission Computers, and Improved Programmable Display Generators (iPDGs). Additional sensitive areas include operating manuals and maintenance technical orders containing performance information, operating and test procedures, and other information related to support operations and repair. The hardware, software, and data identified are classified to protect vulnerabilities, design and performance parameters and other similar critical information.

3. (U) The AN/APG–83 is an Active Electronically Scanned Array (AESA) radar upgrade for the F–16V. It includes higher processor power, higher transmission power,

more sensitive receiver electronics, and synthetic aperture radar (SAR), which creates higher-resolution ground maps from a greater distance than existing mechanically scanned array radars (e.g., APG–68). The upgrade features an increase in detection range of air targets, increases in processing speed and memory, as well as significant improvements in all modes. The highest classification of the radar is SECRET.

4. (U) AN/ALQ–211 Airborne Integrated Defensive Electronic Warfare Suite (AIDEWS) System provides passive radar warning, wide spectrum RF jamming, and control and management of the entire EW system. Commercially developed system software and hardware is UNCLASSIFIED. The system is classified SECRET when loaded with a U.S. derived EW database, which will be provided.

5. (U) The secure voice communications radio system is considered unclassified, but may employ cryptographic technology that is classified SECRET. Classified elements include operating characteristics, parameters, technical data, and keying material.

6. (U) An Advanced Identification Friend or Foe (AIFF) is a system capable of transmitting and interrogating Mode V. It is UNCLASSIFIED unless Mode IV or Mode V operational evaluator parameters are loaded into the equipment that is classified SECRET. Classified elements of the ATP system include software object code, operating characteristics, parameters, and technical data.

7. (U) The Embedded GPS-INS (EGI) LN–260 is a sensor that combines GPS and inertial sensor inputs to provide accurate location information for navigation and targeting. The EGI LN–260 is UNCLASSIFIED. The GPS crypto-variable keys needed for highest GPS accuracy are classified up to SECRET.

8. (U) The LAU–129 Guided Missile Launcher is capable of launching a single AIM–9 (Sidewinder) family of missile or a single AIM–120 Advanced Medium Range Air-to-Air Missile (AMRAAM). The LAU–129 provides mechanical and electrical interface between missile and aircraft. The LAU–129 system is UNCLASSIFIED.

9. (U) The Modular Mission Computer (MMC) is the central computer for the F–16. As such it serves as the hub for all aircraft subsystems, avionics, and weapons. The hardware and software (Operational Flight Program OFP) are classified up to SECRET.

10. (U) An Improved Programmable Display Generator (iPDG) will support the two color MFD's, allowing the pilot to set up to twelve display programs. One of them includes a color Horizontal Situation Display, which will be, provide the pilot with a God's eye view of the tactical situation. Inside is a 20MHz, 32-bit Intel 80960 Display Processor and a 256K battery-backed RAM system memory. The color graphics controller is based on the T.I. TMS34020 Raster Graphics Chipset. The iPDG also contains substantial growth capabilities including a high-speed Ethernet interface (10/100BaseT) and all the hardware necessary to support digital moving maps. The digital map function can be enabled by the addition of software. The hardware and software are UNCLASSIFIED.

11. (U) M61A1 20mm Vulcan Cannon: The 20mm Vulcan cannon is a six barreled automatic cannon chambered in 20x120mm with a cyclic rate of fire from 2,500–6,000 shots per minute. This weapon is a hydraulically powered air cooled Gatlin gun used to damage/destroy aerial targets, suppress/incapacitate personnel targets, and damage or destroy moving and stationary light materiel targets. The M61A1 and its components are UNCLASSIFIED.

12. (U) Software, hardware, and other data or information, which is classified or sensitive, is reviewed prior to release to protect system vulnerabilities, design data, and performance parameters. Some end-item hardware, software, and other data identified above are classified at the CONFIDENTIAL and SECRET level. Potential compromise of these systems is controlled through management of the basic software programs of highly sensitive systems and software-controlled weapon systems on a case-by-case basis.

13. (U) If a technologically advanced adversary were to obtain knowledge of the specific hardware or software source code in this proposed sale, the information could be used to develop countermeasures which might reduce weapon system effectiveness or be used in the development of systems with similar or advance capabilities.

14. (U) This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification. Moreover, the benefits to be derived from this sale, as outlined in the Policy Justification, outweigh the potential damage that could result if the sensitive technology were revealed to unauthorized persons.

15. (U) A determination has been made that the recipient country can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

16. (U) All defense articles and services listed in this transmittal are authorized for release and export to the Government of Bahrain.

DEFENSE SECURITY COOPERATION AGENCY,
Arlington, VA.

Hon. BOB CORKER,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 17–01, concerning the Navy's proposed Letter(s) of Offer and Acceptance to the Government of Bahrain for defense articles and services estimated to cost $60.25 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

CHARLES W. HOOPER,
Lieutenant General, USA, Director.

Enclosures.

TRANSMITTAL NO. 17–01

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Bahrain.

(ii) Total Estimated Value:

Major Defense Equipment* $ 5.10 million.

Other $55.15 million.

Total $60.25 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE): Two (2) MK 38 Mod 3 25mm Gun Weapons Systems.

Non-MDE: Two (2) 35 meter Fast Patrol Boats; two (2) SeaFLIR 380 HD Forward Looking Infra-Red (FLIR) devices; communication equipment; support equipment; spare and repair parts; tools and test equipment; technical data and publications; personnel training; U.S. government and contractor engineering, technical, and logistics support services; and other related elements of logistics and program support.

(iv) Military Department: Navy.

(v) Prior Related Cases, if any: None.

(vi) Sales Commission, Fee. etc., Paid, Offered. or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: None.

(viii) Date Report Delivered to Congress: September 8, 2017.

*as defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Bahrain—35 Meter Fast Patrol Boats

Bahrain has requested the purchase of two (2) 35 meter Fast Patrol Boats, each equipped with one (1) MK38 Mod 3 25mm gun weapon system and one (1) SeaFLIR 380 HD Forward Looking Infra-Red (FLIR) device. Additionally, Bahrain has requested communication equipment; support equipment; spare and repair parts; tools and test equipment; technical data and publications; personnel training; U.S. government and contractor engineering, technical, and logistics support services; and other related elements of logistics and program support. The total estimated cost is $60.25 million.

This proposed sale will contribute to the foreign policy and national security of the United States by helping to improve the security of a major Non-NATO ally, which has been and continues to be an important security partner in the region. This proposed sale of patrol boats will enhance the military capabilities of the Royal Bahrain Naval Force in the fulfillment of its self-defense, maritime security, and counter-terrorism missions.

Bahrain will use the capability as a deterrent to regional threats and to strengthen its homeland defense. This sale will also improve interoperability with United States and regional allies. Bahrain will have no difficulty absorbing this equipment into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The principal contractors for systems listed include: 35 meter Fast Patrol Boats—SwiftShips, Morgan City, LA; MK38 Mod 3 25mm Gun Weapon System—BAE Systems, Louisville, KY; SeaFlir Model 380 HD Forward Looking Infra-Red Device—Flir Systems, Inc., Portland, OR. There are no known offset agreements proposed in conjunction with this potential sale.

Implementation of this proposed sale will require multiple trips by U.S. Government and contractor representatives to participate in program and technical reviews plus boat reactivation and boat systems training in country, on a temporary basis, for a period of two years.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

DEFENSE SECURITY COOPERATION AGENCY,
Arlington, VA.

Hon. BOB CORKER,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 17–49, concerning the Navy's proposed Letter(s) of Offer and Acceptance to the Government of Canada for defense articles and services estimated to cost $5.23 billion. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely.

CHARLES W. HOOPER,
Lieutenant General, USA, Director.

Enclosures.

TRANSMITTAL NO. 17–49

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Canada.

(ii) Total Estimated Value:

Major Defense Equipment* $2.64 billion.

Other $2.59 billion.

Total $5.23 billion.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):

Ten (10) F/A–18E Super Hornet Aircraft, with F414–GE–400 Engines.

Eight (8) F/A–18F Super Hornet Aircraft, with F414–GE–400 Engines.

Eight (8) F414–GE–400 Engine Spares.

Twenty (20) AN/APG–79 Active Electronically Scanned Array (AESA) Radars.

Twenty (20) M61A2 20MM Gun Systems.

Twenty-eight (28) AN/ALR–67(V)3 Electronic Warfare Countermeasures Receiving Sets.

Fifteen (15) AN/AAQ–33 Sniper Advanced Targeting Pods.

Twenty (20) Multifunctional Information Distribution Systems—Joint Tactical Radio System (MIDS-JTRS).

Thirty (30) Joint Helmet Mounted Cueing Systems (JHMCS).

Twenty-eight (28) AN/ALQ–214 Integrated Countermeasures Systems.

One hundred thirty (130) LAU–127E/A and/or F/A Guided Missile Launchers.

Twenty-two (22) AN/AYK–29 Distributed Targeting System (DTS).

Twenty-two (22) AN/AYK–29 Distributed Targeting Processor (DTP).

One hundred (100) AIM–9X–2 Sidewinder Block II Tactical Missiles.

Thirty (30) AIM–9X–2 Sidewinder Block II Captive Air Training Missiles (CATM).

Eight (8) AIM–9X–2 Sidewinder Block II Special Air Training Missiles (NATM).

Twenty (20) AIM–9X–2 Sidewinder Block II Tactical Guidance Units.

Sixteen (16) AIM–9X–2 Sidewinder Block II CATM Guidance Units.

Non-MDE: Included in the sale are AN/AVS–9 Night Vision Goggles (NVG); AN/ALE–47 Electronic Warfare Countermeasures Systems; AN/ARC–210 Communication System, AN/APX–111 Combined Interrogator Transponder; AN/ALE–55 Towed Decoys; Joint Mission Planning System (JMPS); AN/PYQ–10C Simple Key Loader (SKL); Data Transfer Unit (DTU); Accurate Navigation (ANAV) Global Positioning System (GPS) Navigation; KIV–78 Duel Channel Encryptor, Identification Friend or Foe (IFF), CADS/PADS; Instrument Landing System (ILS); Aircraft Armament Equipment (AAE); High Speed Video Network (HSVN) Digital Video Recorder (HDVR); Launchers (LAU–115D/A, LAU–116B/A, LAU–118A); flight test services; site survey; aircraft ferry; auxiliary fuel tanks; aircraft spares; containers; storage and preservation; transportation; aircrew and maintenance training; training aids and equipment, devices and spares and repair parts; weapon system support and test equipment; technical data Engineering Change Proposals; technical publications and documentation; software; avionics software support; software development/integration; system integration and testing; U.S. Government and contractor engineering technical and logistics support; Repair of Repairable (RoR); repair and return warranties; other technical assistance and support equipment; and other related elements of logistics and program support.

(iv) Military Department: Navy.

(v) Prior Related Cases if any: CN–P–FEC (planning case).

(vi) Sales Commission. Fee, etc., Paid. Offered. or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.

(viii) Date Report Delivered to Congress: September 11, 2017.

*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Government of Canada—F/A–18E/F Super Hornet Aircraft with Support

The Government of Canada has requested a possible sale of ten (10) F/A–18E Super Hornet aircraft, with F414–GE–400 engines; eight (8) F/A–18F Super Hornet aircraft, with F414–GE–400 engines; eight (8) F414–GE–400 engine spares; twenty (20) AN/APG–79 Active Electronically Scanned Array (AESA) radars; twenty (20) M61A2 20MM gun systems; twenty-eight (28) AN/ALR–67(V)3 Electronic Warfare Countermeasures Receiving Sets; fifteen (15) AN/AAQ–33 Sniper Advanced Targeting Pods; twenty (20) Multifunctional Information Distribution Systems—Joint Tactical Radio System (MIDS–JTRS); thirty (30) Joint Helmet Mounted Cueing Systems (JHMCS); twenty-eight (28) AN/ALQ–214 Integrated Countermeasures Systems; one hundred thirty (130) LAU–127E/A and or F/A Guided Missile Launchers; twenty-two (22) AN/AYK–29 Distributed Targeting System (DTS); twenty-two (22) AN/AYK–29 Distributed Targeting Processor (DTP); one hundred (100) AIM–9X–2 Sidewinder Block II Tactical Missiles; thirty (30) AIM–9X–2 Sidewinder Block II Captive Air Training Missiles (CATM); eight (8) AIM–9X–2 Sidewinder Block II Special Air Training Missiles (NATM); twenty (20) AIM–9X–2 Sidewinder Block II Tactical Guidance Units; sixteen (16) AIM–9X–2 Sidewinder Block II CATM Guidance Units. Also included in this sale are AN/AVS–9 Night Vision Goggles (NVG); AN/ALE–47 Electronic Warfare Countermeasures Systems; AN/ARC–210 Communication System; AN/APX–111 Combined Interrogator Transponder; AN/ALE–55 Towed Decoys; Joint Mission Planning System (JMPS); AN/PYQ–10C Simple Key Loader (SKL); Data Transfer Unit (DTU); Accurate Navigation (ANAV) Global Positioning System (GPS) Navigation; KIV–78 Duel Channel Encryptor, Identification Friend or Foe (IFF); CADS/PADS; Instrument Landing System (ILS); Aircraft Armament Equipment (AAE); High Speed Video Network (HSVN) Digital Video Recorder (HDVR); Launchers (LAU–115D/A, LAU–116B/A, LAU–118A); flight test services; site survey; aircraft ferry; auxiliary fuel tanks; aircraft spares; containers; storage and preservation; transportation; aircrew and maintenance training; training aids and equipment, devices and spares and repair parts; weapon system support and test equipment; technical data Engineering Change Proposals; technical publications and documentation; software; avionics software support; software development/integration; system integration and testing; U.S. Government and contractor engineering technical and logistics support; Repair of Repairable (RoR); repair and return warranties; other technical assistance and support equipment; and other related elements of logistics and program support. The estimated total case value is $5.23 billion.

This proposed sale will contribute to the foreign policy and national security objectives of the United States by helping to improve the security of a NATO ally which has been, and continues to be, a key democratic partner of the United States in ensuring peace and stability. The acquisition of the F/A–18E/F Super Hornet aircraft, associated weapons and capability will allow for greater interoperability with U.S. forces, providing benefits for training and possible future coalition operations in support of shared regional security objectives.

The proposed sale of the F/A–18E/F Super Hornet aircraft will improve Canada's capability to meet current and future warfare threats and provide greater security for its critical infrastructure. The F/A–18E/F Super Hornet aircraft will supplement and eventually replace a portion of the Canadian Air Force's aging fighter aircraft. Canada will have no difficulty absorbing this equipment into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The principal contractors will be: Boeing Company, St. Louis, MO; Northrop Grumman, Los Angeles, CA; Raytheon, El Segundo, CA; General Electric, Lynn, MA; and Raytheon Missile Systems Company, Tucson, AZ. The Government of Canada has advised that it will negotiate offset agreements with key U.S. contractors.

Implementation of this proposed sale will require the assignment of contractor representatives to Canada on and intermittent basis over the life of the case to support delivery of the F/A–18E/F Super Hornet aircraft and weapons and to provide supply support management, inventory control and equipment familiarization.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 17–49

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The F/A–18E/F Super Hornet is a single-seat and two-seat, twin engine, multi-mission fighter/attack aircraft that can operate from either aircraft carriers or land bases. The F/A–18E/F Super Hornet fills a variety of roles: air superiority, fighter escort, suppression of enemy air defenses, reconnaissance, forward air control, close and deep air support, and day and night strike missions. The F/A–18E/F Weapons System is considered SECRET.

2. The AN/APG–79 Active Electronically Scanned Array (AESA) Radar System is classified SECRET. The radar provides the F/A–18E/F Super Hornet aircraft with all-weather, multi-mission capability for performing air-to-air and air-to-ground targeting and attack. Air-to-air modes provide the capability for all-aspect target detection, long-range search and track, automatic target acquisition, and tracking of multiple targets. Air-to-surface attack modes provide high-resolution ground mapping navigation, weapon delivery, and sensor cueing. The system component hardware (Antenna, Transmitter, Radar Data Processor, and Power Supply) is UNCLASSIFIED. The Receiver-Exciter hardware is CONFIDENTIAL. The radar Operational Flight Program (OFP) is classified SECRET. Documentation provided with the AN/APG–79 radar set is classified SECRET.

3. The AN/ALR–67(V)3 Electronic Warfare Countermeasures Receiving Set is classified CONFIDENTIAL. The AN/ALR–67(V)3 provides the F/A–18E/F aircrew with radar threat warnings by detecting and evaluating friendly and hostile radar frequency threat emitters and providing identification and status information about the emitters to onboard Electronic Warfare (EW) equipment and the aircrew. The Operational Flight Program (OFP) and User Data Files (UDF) used in the AN/ALR–67(V)3 are classified SECRET. Those software programs contain threat parametric data used to identify and establish priority of detected radar emitters.

4. The Multifunctional Informational Distribution System-Joint Tactical Radio System (MIDS-JTRS) is classified CONFIDENTIAL. The MIDS-JTRS is a secure data and voice communication network using Link–16 architecture. The system provides enhanced situational awareness, positive identification of participants within the network, secure fighter-to-fighter connectivity, secure voice capability, and ARN–118 TACAN functionality. It provides three major functions: Air Control, Wide Area Surveillance, and Fighter-to-Fighter. The MIDS-JTRS can be used to transfer data in Air-to-Air, Air-to-Surface, and Air-to-Ground scenarios. The MIDS Enhanced Interference Blanking Unit (EIBU) provides validation and verification of equipment and concept. EIBU enhances input/output signal capacity of the MIDS-JTRS and addresses parts obsolescence.

5. The Joint Helmet Mounted Cueing System (JHMCS) is a modified HGU–55/P helmet that incorporates a visor-projected Heads-Up Display (HUD) to cue weapons and aircraft sensors to air and ground targets. In close combat, a pilot must currently align the aircraft to shoot at a target. JHMCS allows the pilot to simply look at a target to shoot. This system projects visual targeting and aircraft performance information on the back of the helmet's visor, enabling the pilot to monitor this information without interrupting his field of view through the cockpit canopy. The system uses a magnetic transmitter unit fixed to the pilot's seat and a magnetic field probe mounted on the helmet to define helmet pointing positioning. A Helmet Vehicle Interface (HVI) interacts with the aircraft system bus to provide signal generation for the helmet display. This provides significant improvement for close combat targeting and engagement. Hardware is UNCLASSIFIED; technical data and documents are classified up to SECRET.

6. The AN/ALQ–214 is an advanced airborne Integrated Defensive Electronic Countermeasures (IDECM) programmable modular automated system capable of intercepting, identifying, processing received radar signals (pulsed and continuous) and applying an optimum countermeasures technique in the direction of the radar signal, thereby improving individual aircraft probability of survival from a variety of surface-to-air and air-to-air Radio Frequency (RF) threats. The system operates in a standalone or Electronic Warfare (EW) suite mode. In the EW suite mode, the AN/ALQ–214 operates in a fully coordinated mode with the towed dispensable decoy, Radar Warning Receiver (RWR), and the onboard radar in the F/A–18E/F Super Hornet in a coordinated, non-interference manner sharing information for enhanced information. The AN/ALQ–214 was designed to operate in a high-density Electromagnetic Hostile Environment with the ability to identify and counter a wide variety of multiple threats, including those with Doppler characteristics. Hardware within the AN/ALQ–214 is classified CONFIDENTIAL.

7. LAIJ–127E/A and/or F/A Guided Missile Launchers designed to enable F/A–18E/F Super Hornet aircraft to carry and launch missiles. It provides the electrical and mechanical interface between the missile and launch aircraft as well as the two-way data transfer between missile and cockpit controls and displays to support preflight orientation and control circuits to prepare and launch the missile.

8. The AIM–9X–2 Block II Sidewinder missile represents a substantial increase in missile acquisition and kinematics performance over the AIM–9M and replaces AIM–9X Block I missile configuration. The missile includes a high off-boresight seeker, enhanced countermeasure rejection capability, low drag/high angle of attack airframe and the ability to integrate the Helmet Mounted Cueing System. The software algorithms are the most sensitive portion of the AIM–9X–2 missile. The software continues to be modified via a pre-planned product improvement (P31) program in order to improve its counter-countermeasure capabilities. No software source code or algorithms will be released. The missile is classified as CONFIDENTIAL.

9. The AIM–9X–2 will result in the transfer of sensitive technology and information. The equipment, hardware, and documentation are classified CONFIDENTIAL. The software and operation performance are classified SECRET. The seeker/guidance control section and the target detector are CONFIDENTIAL and contain sensitive state-of-the-art technology. Manuals and technical documentation that are necessary or support operational use and organizational management are classified up to SECRET. Performance and operating logic of the counter-countermeasures circuits are classified SECRET. The hardware, software, and data identified are classified to protect vulnerabilities, design and performance parameters and similar critical information.

10. The AN/AAQ–33 SNIPER Pod is a multisensor, electro-optical targeting pod incorporating infrared, low-light television camera, laser range finder/target designator, and laser spot tracker. It is used to provide navigation and targeting for military aircraft in adverse weather and using precision-guided weapons such as laser-guided bombs. It offers much greater target resolution and imagery accuracy than previous systems.

11. The AN/PVS–9 Night Vision Goggles (NVG) provide imagery sufficient for an aviator to complete night time missions down to starlight and extreme low light conditions. The AN/PVS–9 is designed to satisfy the F/A–18E/F mission requirements for covert night combat, engagement, and support. The third generation light amplification tubes provide a high-performance, image-intensification system for optimized F/A–18E/F night flying at terrain-masking altitudes. The AN/PVS–9 NVG's are classified as UNCLASSIFIED but with restrictions on release of technologies.

12. The AN/ALE–47 Countermeasures Dispensing Systems is classified SECRET. The AN/ALE–47 is a threat-adaptive dispensing system that dispenses chaff, flares, and expendable jammers for self-protection against airborne and ground-based Radio Frequency (RF) and Infrared Threats. The AN/ALE–47 Programmer is classified CONFIDENTIAL. The Operational Flight Program (OR) and Mission Data Files (MDF) used in the AN/ALE–47 are classified SECRET. Those software programs contain algorithms used to calculate the best defense against specific threats.

13. The AN/ARC–210 Radio's Line-of-sight data transfer rates up to 80 k/s in a 25 kHz channel creating high-speed communication of critical situational awareness information for increased mission effectiveness. Software that is reprogrammable in the field via Memory Loader/Verifier Software making flexible use for multiple missions. The AN/ARC–210 has embedded software with programmable cryptography for secure communications.

14. The AN/APX–111 Combined Interrogator/Transponder (CIT) with the Conformal Antenna System (CAS) is classified SECRET. The CIT is a complete MARK-XII identification system compatible with Identification Friend or Foe (IFF) Modes 1, 2, 3/A, C and 4 (secure). A single slide-in module that can be customized to the unique cryptographic functions for a specific country provides the systems secure mode capabilities. As a transponder, the CIT is capable of replying to interrogation modes 1, 2, 3/A, C (altitude) and secure mode 4. The requirement is to upgrade Canada's Combined Interrogator/Transponder (CIT) AN/APX–111 (V) IFF system software to implement Mode Select (Mode S) capabilities. Beginning in early 2005, EUROCONTROL mandated the civil community in Europe to transition to a Mode S only system and for all aircraft to be compliant by 2009. The Mode S Beacon System is a combined data link and Secondary Surveillance Radar (SSR) system that was standardized in 1985 by the International Civil Aviation Organization (ICAO). Mode S provides air surveillance using a data link with a permanent unique aircraft address. Selective Interrogation provides higher data integrity, reduced Radio Frequency (RF) interference levels, increased air traffic capacity, and adds air-to-ground data link.

15. The AN/ALE–55 Towed Decoy improves aircraft survivability by providing an enhanced, coordinated on-board/off-board countermeasure response to enemy threats.

16. The Joint Mission Planning System (JMPS) is classified SECRET. JMPS will provide mission planning capability for support of military aviation operations. It will also provide support for unit-level mission planning for all phases of military flight operations and have the capability to provide necessary mission data for the aircrew. JMPS will support the downloading of data to electronics data transfer devices for transfer to aircraft and weapon systems. A JMPS for a specific aircraft type will consist of basic planning tools called the Joint Mission Planning Environment (JMPE) mated with a Unique Planning Component (UPC) provided by the aircraft program. In addition UPCs will be required for specific weapons, communication devices, and moving map displays. The JMPS will be tailored to the specific releasable configuration for the F/A–18E/F Super Hornet.

17. AN/PYQ–10(C) is the next generation of the currently fielded AN/CYZ–10 Data Transfer Device (DTD). The AN/PYQ–10(C) provides automated, secure and user-friendly methods for managing and distributing cryptographic key material, Signal Operating Instructions (SOI), and Electronic Protection data. This course introduces some of the basic components and activities associated with the AN/PYQ–10(C) in addition to hands-on training. Learners will become familiar with the security features of the Simple Key Loader (SKL), practice the initial setup of the SKL, and will receive and distribute electronic keys using the SKL. Hardware is considered CLASSIFIED.

18. Data Transfer Unit (DTU) with CRYPTO Type 1 and Ground Encryption Device (GED). The DTU (MU–1164(C)/A) has an embedded DAR–400ES. Both versions of the DAR–400 are type 1 devices.

19. Accurate Navigation (ANAV) Global Positioning System (GPS) also includes Key loading Installation and Facility Charges. The ANAV is a 24–channel SAASM based pulse-per-second GPS receiver built for next generation GPS technology.

20. KIV–78 Dual Channel Encryptor Mode 4/Mode 5 Identification Friend or Foe (IFF) Crypto applique includes aircraft installs and initial spares, to ensure proper identification of aircraft during coalition efforts. The KIV–78 provides cryptographic and time-of-day services for a Mark XIIA (Mode 4 and 5) IFF Combined Interrogator/Transponder (CIT), individual interrogator, and individual transponder. Hardware is considered CLASSIFIED.

21. High Speed Video Network (HSVN) Digital Video Recorder (HDVR) with CRYPTO Type 1 and Ground Encryption Device (GED). The HDVR has an embedded DAR–400EX and the GED has an embedded DAR–400ES Both versions of the DAR–400 are Type 1 devices.

22. If a technologically advanced adversary obtains knowledge of the specific hardware

and software elements, the information could be used to develop countermeasures or equivalent systems that might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

23. A determination has been made that the Government of Canada can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

24. All defense articles and services listed in this transmittal are authorized for release and export to the Government of Canada.

ADDITIONAL STATEMENTS

TRIBUTE TO PETER WOLD

• Mr. BARRASSO. Mr. President, today I wish to celebrate the Boys and Girls Clubs of Central Wyoming's 2017 honoree, Peter Wold.

Since 1978, the Boys and Girls Clubs of Central Wyoming has been working to make a positive difference in the lives of children. Their mission is to inspire all youth, especially those who need them the most, to reach their full potential and to be productive, responsible, and caring citizens. Their activities provide the children in our community with a sense of competence, usefulness, and belonging. The Boys and Girls Clubs of Central Wyoming is grateful for Peter's contributions to their critically important mission.

On September 20, 2017, the Boys and Girls Clubs of Central Wyoming will be hosting the 19th Annual Awards and Recognition Breakfast. Every year at this event, the Boys and Girls Clubs honors a member of the community who has made outstanding contributions to both their organization and the city of Casper. It is a wonderful celebration. Peter Wold is a perfect honoree because of his commitment to the youth across the State of Wyoming.

Peter is a successful businessman, philanthropist, and family man. He is a native of Casper, WY. Peter attended Colorado State University and earned a bachelor of science degree in biological science. He started his career at a trout farm in Idaho and later became one of the most influential landmen in the State of Wyoming. Peter followed in his father John Wold's footsteps at Wold Oil Properties, a family owned and operated oil and gas company characterized by consistency and western values. Since 1993, he and his brother Jack Wold have owned and managed the company. Peter is currently the President of Wold Energy Partners and CEO of Wold Oil Properties.

Throughout his career, Peter gained valuable experience and knowledge of Wyoming industries, businesses, and communities. Since 1979, he has been managing member of Hole-in-the-Wall Ranch. Peter was a representative on the Bureau of Land Management's National Public Lands Advisory Council. Previously, Peter served as the chairman of the board of directors of the Wyoming Enhanced Oil Recovery Commission and a member of the board of directors of the Independent Petroleum Association of Rocky Mountain States. He is an active member of the Wyoming Association of Professional Landmen and the American Association of Professional Landmen. Peter Wold also served on the corporate boards of Arch Coal Corporations and Oppenheimer Funds.

The Wold family has a proud tradition of public service and helping the people of Wyoming. Peter represented Natrona County in the Wyoming House of Representatives from 1989 to 1992. His passion to give back and sense of duty to the people of Wyoming was instilled in him by his father, John Wold. John Wold served in the Wyoming House of Representatives from 1957 to 1959 and the U.S. House of Representatives from 1969 to 1971. He was the first professional geologist in the U.S. Congress. Peter's son Matthew continued the family tradition of public service when he interned in my Washington, DC, office during the summer of 2007.

Peter Wold continues to devote his time, talents, and resources to help promote programs that develop the mental and physical well-being of youth across Wyoming. In addition to supporting the Boys and Girls Clubs, Peter Wold is also a member of the board of trustees for the YMCA of Natrona County. He played an integral role in getting a new facility to serve the needs of the children, families, and members of the Casper community. Through his work with the Wold Foundation, Peter supports numerous projects and programs aimed at assisting Wyoming youth, such as the Natrona County School District History Day competition and the Little Hands Casper arts education program. His generosity to youth organizations will ensure the future of Wyoming is strong and vibrant.

Peter Wold and his family truly represent the strong Wyoming values of hard work, generosity, and compassion. Peter Wold and his wife, Marla, have three children, Abbie Long and her husband Steve, Matthew Wold and his wife Katie, and Joe Wold and his wife Chelsey, as well as four grandchildren, Hayden, Harper, Ellie, and Annie. Casper and Wyoming are a better place thanks to the contributions of this exceptional family.

It is with great honor that I recognize this outstanding member of our Wyoming community. My wife, Bobbi, joins me in extending our congratulations to Peter Wold for receiving this special award.•

TRIBUTE TO DR. DONALD F. BOESCH

• Mr. CARDIN. Mr. President, I would like to take this opportunity to thank Dr. Donald F. Boesch, who is stepping down as president of the University of Maryland Center for Environmental Science, UMCES, a position he has held for the past 27 years.

Since 1990, Dr. Boesch has led an institution with an excellent reputation for Chesapeake Bay science to global prominence in coastal watershed science and its application, building highly capable research facilities at each of the UMCES's four laboratories. Since 2008, he has also served as vice chancellor for environmental sustainability for the University System of Maryland.

During Dr. Boesch's tenure, UMCES went through remarkable transformations. Research grants more than tripled and significantly diversified with multiple agency and private and philanthropic sponsors. This allowed UMCES scientists to expand their research into new and emerging topics critical to understanding Maryland's environment. He also initiated the Integration and Application Network, which is responsible for the annual "report card" on the Chesapeake Bay, to inspire and produce timely syntheses on critical environmental issues and identify practical and effective solutions to the bay's problems.

Thanks to Don's unstinting passion and dedication to environmental issues, UMCES has had a profoundly positive impact on improving the health of Maryland's environment, playing a major role in the university's mission to enhance the quality of life in Maryland and our region. UMCES has become recognized as the State's foremost research authority on environmental matters that are critical to Maryland and the Nation, from enhancing the health of the Chesapeake Bay to restoring our State's oyster population.

Don Boesch has been an extremely effective leader of people. He worked with the University of Maryland Baltimore County and the University of Maryland, Baltimore to form a novel research partnership, the Institute of Marine and Environmental Technology, located on Baltimore's Inner Harbor. He spearheaded the effort to design and construct the state-of-the-art research vessel *Rachel Carson* to help understand and monitor the Chesapeake Bay and coastal Atlantic Ocean. He led UMCES, a longtime partner in graduate education and classroom instruction with the University of Maryland, to receive accreditation to award joint graduate degrees in environmental science.

Don has been involved in research on the Chesapeake Bay for more than 35 years, becoming one of the Nation's most widely recognized and respected experts in applying science to public policies for the protection, sustainable use, and restoration of coastal ecosystems. He has been an official adviser to Federal agencies, the Chesapeake Bay Program, and five Maryland Governors. He is a member of the Governor's Chesapeake Bay Cabinet. He has also served as chair of the Ocean

Studies Board of the National Academy of Sciences and member of the National Academies Committee on America's Climate Choices. In 2007, he won the ''Award for Lifetime Leadership in Ecosystem Restoration, National Conference on Ecosystem Restoration.'' In 2010, President Barack Obama appointed Don to the National Commission on the BP Deepwater Horizon Oil Spill and Offshore Drilling. In 2015, he earned the ''Admiral of the Chesapeake Award,'' which was presented to him by the Governor.

Don's interest in coastal watershed science probably came naturally; he was born and raised in New Orleans, and he received his B.S. in biology from Tulane University in 1967. He went on to earn a Ph.D. in oceanography from the College of William & Mary in 1971. He was awarded a Fulbright postdoctoral fellowship to study in Australia and then spent 8 years on the faculty at the Virginia Institute of Marine Science. From 1980 to 1990, he served as the first executive director of the Louisiana Universities Marine Consortium and worked as a professor of Marine Science at Louisiana State University. He returns to the gulf coast frequently to lead task forces and scientific panels on gulf ecosystem protection and restoration.

Dr. Donald F. Boesch has had an exemplary career at the intersection of science and public policy. He has been incredibly helpful to me and the rest of the Maryland congressional delegation; we have all valued his wise counsel. I am comforted by the fact that, while Don is stepping down as president of UMCES on September 17, he will join the faculty and focus his energies on completing several research publications. I ask my Senate colleagues to join me in congratulating Don on this milestone event and thanking him for his extraordinary contributions to understanding and protecting our environment.●

TRIBUTE TO FLORENCE NEMPHOS

● Ms. HASSAN. Mr. President, today I wish to recognize and extend my sincerest congratulations and happy birthday wishes to Florence Nemphos. On August 17, 2017, Florence celebrated her 100th birthday.

Florence Nemphos was born in Saugus, MA, on August 17, 1917 to two loving parents, Annie LeBrun and Richard LeBlanc. Florence has been a resident of Seabrook, NH, for the past 34 years. Florence is known as an outstanding woman and a vital and active member of her tightknit community.

For over 40 years, Florence has dedicated part of every week to playing bingo at the American Legion of Seabrook and the Seabrook Fire Association with members of the Seabrook community that she calls her bingo buddies.

As Senator for New Hampshire, I would like to honor Florence on the occasion of her 100th birthday. I join with Florence's friends and family, as well as many, many people in her hometown of Seabrook and across the Granite State, in wishing her a very happy 100th birthday.●

TRIBUTE TO CHASE GLAZIER

● Mr. THUNE. Mr. President, today I recognize Chase Glazier, an intern in my Washington, DC, office, for all of the hard work he has done for me, my staff, and the State of South Dakota.

Chase is a graduate of Custer High School in Custer, SD. Currently, he is attending South Dakota State University in Brookings, SD, where he is majoring in communications. Chase is a dedicated worker who has been committed to getting the most out of his experience.

I extend my sincere thanks and appreciation to Chase Glazier for all of the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO KYLE McKEE

● Mr. THUNE. Mr. President, today I recognize Kyle McKee, an intern in my Washington, DC, office, for all of the hard work he has done for me, my staff, and the State of South Dakota.

Kyle is a graduate of Washington High School in Sioux Falls, SD. Currently, he is attending the University of Pennsylvania in Philadelphia, PA, where he is majoring in political science and chemistry. Kyle is a dedicated worker who has been committed to getting the most out of his experience.

I extend my sincere thanks and appreciation to Kyle McKee for all of the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO OLIVIA TORBERT

● Mr. THUNE. Mr. President, today I recognize Olivia Torbert, an intern in my Washington, DC, office, for all of the hard work she has done for me, my staff, and the State of South Dakota.

Olivia is a graduate of Washington High School in Sioux Falls, SD. Currently, she is attending Georgetown University in Washington, DC, where she is majoring in international relations. Olivia is a dedicated worker who has been committed to getting the most out of her experience.

I extend my sincere thanks and appreciation to Olivia Torbert for all of the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO DUSTIN WAHL

● Mr. THUNE. Mr. President, today I recognize Dustin Wahl, an intern in my Washington, DC, office, for all of the hard work he has done for me, my staff, and the State of South Dakota.

Dustin is a graduate of Sioux Falls Christian High School in Sioux Falls, SD. Currently, he is attending Liberty University in Lynchburg, VA, where he is majoring in politics and policy. Dustin is a dedicated worker who has been committed to getting the most out of his experience.

I extend my sincere thanks and appreciation to Dustin Wahl for all of the fine work he has done and wish him continued success in the years to come.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

PRESIDENTIAL MESSAGES

REPORT RELATIVE TO THE CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO THE TERRORIST ATTACKS ON THE UNITED STATES OF SEPTEMBER 11, 2001—PM 16

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act, 50 U.S.C. 1622(d), provides for the automatic termination of a national emergency unless, within 90 days of the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. Consistent with this provision, I have sent to the *Federal Register* the enclosed notice, stating that the emergency declared in Proclamation 7463 of September 14, 2001, ''National Emergency by Reason of Certain Terrorist Attacks,'' is to continue in effect beyond September 14, 2017.

The threat of terrorism that resulted in the declaration of a national emergency on September 14, 2001, continues. The authorities that have been invoked under that declaration of a national emergency continue to be critical to the ability of the Armed Forces of the United States to perform essential missions in the United States and around

the world to address the continuing threat of terrorism. For these reasons, I have determined that it is necessary to continue in effect the national emergency declared on September 14, 2001, in response to certain terrorist attacks.

DONALD J. TRUMP.
THE WHITE HOUSE, *September 11, 2017.*

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under the authority of the order of the Senate of January 3, 2017, the Secretary of the Senate, on September 8, 2017, during the adjournment of the Senate, received a message from the House of Representatives announcing that the House has agreed to the following concurrent resolution, without amendment:

S. Con. Res. 24. Concurrent resolution providing for a correction in the enrollment of H.R. 601.

The message also announced that the House has agreed to the amendment of the Senate to the amendment of the House to the amendment of the Senate to the bill (H.R. 601) to enhance the transparency and accelerate the impact of assistance provided under the Foreign Assistance Act of 1961 to promote quality basic education in developing countries, to better enable such countries to achieve universal access to quality basic education and improved learning outcomes, to eliminate duplication and waste, and for other purposes.

ENROLLED BILLS SIGNED

Under the authority of the order of the Senate of January 3, 2017, the Secretary of the Senate, on September 8, 2017, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker had signed the following enrolled bills:

S. 1616. An act to award the Congressional Gold Medal to Bob Dole, in recognition for his service to the nation as a soldier, legislator, and statesman.

H.R. 601. An act making continuing appropriations for the fiscal year ending September 30, 2018, and for other purposes.

H.R. 624. An act to restrict the inclusion of social security account numbers on Federal documents sent by mail, and for other purposes.

Under the authority of the order of the Senate of January 3, 2017, the enrolled bills were signed on September 8, 2017, during the adjournment of the Senate, by the Vice President.

MESSAGE FROM THE HOUSE

At 4:46 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 3732. An act to amend section 1113 of the Social Security Act to provide authority for increased fiscal year 2017 and 2018 payments for temporary assistance to United States citizens returned from foreign countries.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, September 11, 2017, she had presented to the President of the United States the following enrolled bill:

S. 1616. An act to award the Congressional Gold Medal to Bob Dole, in recognition for his service to the nation as a soldier, legislator, and statesman.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–82. A concurrent resolution adopted by the Legislature of the State of Louisiana memorializing the United States Congress to take such actions as are necessary to develop, implement, and enforce additional safeguards, policies, and procedures that will significantly enhance airport safety; to the Committee on Commerce, Science, and Transportation.

HOUSE CONCURRENT RESOLUTION NO. 1

Whereas, according to the United States Department of Transportation's Bureau of Transportation Statistics, United States airlines and foreign airlines serving the United States carried over eight hundred ninety-five million passengers in 2015; and

Whereas, airports contribute significantly to local, national, and global economies and provide jobs and fuel trade for economic development; and

Whereas, approximately forty percent of all tourists travel by air, forty-five million tons of freight are transported annually by air, and fourteen million jobs around the world are tied to air travel, which heavily contribute to economic advancement; and

Whereas, there are over nineteen thousand airports serving the United States with seven commercial service airports located in the state of Louisiana; and

Whereas, safety and security are of great concern and are key influencing factors when people select a mode of transportation and a travel destination; and

Whereas, on a daily basis, the lives of countless airline passengers are dependent upon the implementation of safety regulations adopted to protect the public interest both in the air and at the airport; and

Whereas, while significant measures have been taken to enhance airport and traveler safety and security professionals are focused on extensive security investments to protect airports and civilians from threats, considerable vulnerabilities still remain; and

Whereas, public areas of an airport, such as the baggage claim and ticket areas, remain vulnerable because the focus of security is primarily devoted to screening passengers to keep flights safe; and

Whereas, the perceived weaknesses of an airport can be transformed into potential strengths with appropriate security solutions; and

Whereas, as security systems become more reliable, competitively priced, and advanced, and there is better integration of products from various equipment manufacturers, security challenges can be overcome with effective solutions; and

Whereas, in addition to detection and monitoring of movement prior to accessing the terminal of airports, perimeter security could be used to control, manage, and verify a high volume of traffic at the initial point of contact at an airport; Now, therefore, be it

Resolved, That the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary to develop, implement, and enforce additional safeguards, policies, and procedures that will significantly enhance airport safety; and be it further

Resolved, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM–83. A concurrent resolution adopted by the Legislature of the State of Louisiana memorializing the United States Congress to take such actions as are necessary to continue to provide appropriate and sufficient funding for the National Sea Grant College Program, including that for Louisiana Sea Grant; to the Committee on Commerce, Science, and Transportation.

HOUSE CONCURRENT RESOLUTION NO. 66

Whereas, the National Sea Grant College Program, a network of thirty-three sea grant colleges and universities, was created in 1966 by the United States Congress in the National Oceanic and Atmospheric Administration within the United States Department of Commerce; and

Whereas, the colleges and universities designated under the National Sea Grant College Program were so designated because they were involved in scientific research, education, training, and extension projects and programs that were aimed at preservation and practical development of coastal resources, including those along the Atlantic Ocean, the Pacific Ocean, the Gulf of Mexico, and the Great Lakes; and

Whereas, the Act that created the National Sea Grant College Program stated that the program was to support education, research, and extension by ''Encouraging and developing programs consisting of instruction, practical demonstrations, publications, and otherwise, by sea grant colleges and other suitable institutes, laboratories, and public and private agencies through marine advisory programs with the object of imparting useful information to persons currently employed or interested in the various fields related to the development of marine resources, the scientific community, and the general public.''; and

Whereas, in 1978, Louisiana Sea Grant, located at Louisiana State University, was designated as the thirteenth sea grant college and in its most recent program review conducted by the National Sea Grant Office of the National Oceanic and Atmospheric Administration was rated as ''. . . exceeds expectations by a substantial margin in some areas/aspects.''; and

Whereas, Louisiana Sea Grant, similar to the agricultural extension or ''county agent'' program of the United States Department of Agriculture, provides many educational and support services to local coastal communities and businesses, including our state's commercial fishermen; and

Whereas, in 2015, Louisiana Sea Grant activities in the state resulted in $17.7 million in economic benefits, the establishment of nearly one hundred twenty businesses, and the educational experiences of nearly twenty-nine thousand students in our elementary and secondary schools; and

Whereas, Louisiana Sea Grant was also able to assist twenty-four communities in the development and implementation of sustainable economic and environmental practices to the benefit of those communities and their citizens; and

Whereas, Louisiana Sea Grant has been a part of the first response to many coastal crises including hurricanes, floods, and even the Deepwater Horizon oil disaster, and the Louisiana Sea Grant has been an essential part of the short-term and long-term recovery from those disasters by local coastal communities; and

Whereas, Louisiana Sea Grant annually reaches more than twenty-five thousand of our state's kindergarten through twelfth grade schoolchildren through professional development for teachers and development of student coastal stewardship activities and has supported more than twelve hundred graduate and undergraduate students in their quest for applicable degrees and research opportunities, furthering the mission of Louisiana Sea Grant to impart ''. . . useful information to persons currently employed or interested in the various fields related to the development of marine resources, the scientific community, and the general public''; and

Whereas, one of the programs slated to be cut by $30 million in the Fiscal Year 2018 President's budget request is the National Sea Grant College Program with an additional Fiscal Year 2019 budget proposal that would eliminate funding for the Sea Grant program entirely; and

Whereas, the Fiscal Year 2018 proposed cut would eliminate the remaining budget for the National Sea Grant College Program this year and, if adopted, would terminate the National Sea Grant Office on the day such a budget cut became effective; and

Whereas, Louisiana Sea Grant provides vital services to the state of Louisiana and its citizens through the scientific research, education, training, and extension projects and programs that are aimed at preservation and practical development of coastal resources and the loss of these services would deal a devastating blow to communities already stressed due to the magnitude of coastal loss and repeated natural disasters, such as hurricanes and flooding: Therefore, be it

Resolved, That the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary to continue to provide appropriate and sufficient funding for the National Sea Grant College Program, including that for Louisiana Sea Grant; and be it further

Resolved, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM–84. A concurrent resolution adopted by the Legislature of the State of Louisiana memorializing the United States Congress and the Louisiana Congressional Delegation to take such actions as are necessary to rectify the revenue sharing inequities between coastal and interior energy producing states and to ensure the dependability of such revenue sharing, to the Committee on Energy and Natural Resources.

HOUSE CONCURRENT RESOLUTION NO. 101

Whereas, since 1920, interior states with mineral production in the United States have been privy to a revenue sharing agreement with the federal government that allowed those states to keep fifty percent of the revenues generated in their states from mineral production on federal lands within their borders, including royalties, severance taxes, and bonuses; and

Whereas, coastal states with onshore and offshore oil and gas production were not included in that revenue sharing agreement and therefore face inequities under the federal energy policies because those coastal states have not been party to this same level of revenue sharing partnership with the federal government; and

Whereas, coastal energy producing states have a limited partnership with the federal government that allows them to retain very little revenue generated from their offshore energy production and transportation, and activities associated with energy that are produced and transported for use throughout the nation; and

Whereas, in 2006 the United States Congress passed the Gulf of Mexico Energy Security Act (GOMESA) from which the state of Louisiana will begin receiving revenue sharing payments from mineral production in the Gulf of Mexico in 2017; an Act that calls for a sharing of thirty-seven and five tenths percent of coastal production revenues with four gulf states with a cap of $500 million per year; and

Whereas, according to the most recent data from the United States Energy Information Administration, Louisiana, including its state waters, is the ninth largest producer of oil in the United States while if offshore oil production from federal waters is included, it is the second largest oil producer in the country; and from wells located within the state boundaries including the state waters, Louisiana is the fourth largest producer of gas in the United States while if gas production from federal offshore waters in the Gulf of Mexico is included, it is the second largest gas producer in the United States; and

Whereas, with eighteen operating refineries in the state, Louisiana is second only to Texas in both total number of refineries and total refinery operating capacity, accounting for nearly one-fifth of the nation's total refining capacity; and

Whereas, Louisiana contributes to the United States Strategic Petroleum Reserve with two facilities located in the state consisting of twenty-nine caverns capable of holding nearly three hundred million barrels of crude oil; and

Whereas, with three onshore liquified natural gas (LNG) facilities and others already permitted, more LNG facilities than any other state in the country, and the Louisiana Offshore Oil Port, the nation's only deepwater oil port, Louisiana plays an essential role in the movement of natural gas from the United States Gulf Coast region to markets throughout the country; and

Whereas, it is apparent that Louisiana plays an essential role in supplying the nation with energy and it is vital to the security of our nation's energy supply, roles that should be recognized and compensated at an appropriate revenue sharing level; and

Whereas, the majority of the oil and gas production from the Gulf of Mexico enters the United States through coastal Louisiana with all of the infrastructure necessary to receive and transport such production, infrastructure that has for many decades damaged the coastal areas of Louisiana, an impact that should be compensated through appropriate revenue sharing with the federal government; and

Whereas, because Louisiana is losing more coastal wetlands than any other state in the country, in 2006 the people of Louisiana overwhelmingly approved a constitutional amendment dedicating revenues received from Outer Continental Shelf oil and gas activity through GOMESA to the Coastal Protection and Restoration Fund for the purposes of coastal protection, including conservation, coastal restoration, hurricane protection, and infrastructure directly impacted by coastal wetland losses; and

Whereas, the state of Louisiana has developed, through a science-based and stakeholder-involved process, a ''2017 Comprehensive Master Plan for a Sustainable Coast'' which identifies and prioritizes the most efficient and effective projects in order to meet the state's critical coastal protection and restoration needs and has received many accolades from the country's scientific community; and

Whereas, the Coastal Protection and Restoration Authority is making great progress implementing the projects in the ''Comprehensive Master Plan for a Sustainable Coast'' with all available funding, projects that are essential to the protection of the infrastructure that is critical to the energy needs of the United States; and

Whereas, the federal budget proposal released on May 23, 2017, recommends the complete elimination of the revenue sharing payments under the GOMESA Act, in effect negating the long-fought-for agreement that our congressional delegation along with the delegations from the other Gulf of Mexico states had entered into with the federal government to compensate those states for the infrastructure demands and damages; and

Whereas, in order to properly compensate the coastal states for the infrastructure demands that result from production of energy and fuels that heat and cool the nation's homes, offices, and businesses and fuel the nation's transportation needs, revenue sharing for coastal states needs to at least be at the same rate as interior states that produce oil, gas, and coal. Therefore, be it

Resolved, That the Legislature of Louisiana does hereby memorialize the United States Congress and the Louisiana Congressional Delegation to take such actions as are necessary to treat oil and gas production in the Gulf Coast states in a manner that is at least equal to onshore oil, gas, and coal production in interior states for revenue purposes; and to rectify the revenue sharing inequities between coastal and interior energy producing states in order to address the nationally significant crisis of wetland loss in the state of Louisiana; and be it further

Resolved, That the Legislature of Louisiana does hereby memorialize the United States Congress and the Louisiana Congressional Delegation, along with the delegations from the other Gulf of Mexico states, to ensure that the agreement codified through the Gulf of Mexico Energy Security Act (GOMESA) remains in place and that the Gulf Coast states receive their anticipated revenue sharing payments during Fiscal Year 2017–2018 as outlined in the Act; and be it further

Resolved, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana Congressional Delegation.

POM–85. A resolution adopted by the Senate of the State of California relative to a New Five-year National Offshore Oil and Gas Leasing Program on the Outer Continental Shelf; to the Committee on Energy and Natural Resources.

SENATE RESOLUTION NO. 51

Whereas, California's iconic coastal and marine waters are one of our state's most precious resources, and, as elected officials, it is our duty to ensure the long-term viability of California's fish and wildlife resources, and thriving fishing, tourism, and recreation sectors; and

Whereas, Hundreds of millions of California residents and visitors enjoy the state's ocean and coast for recreation, exploration, and relaxation; and tourism and recreation comprise the largest sector of the state's $445 billion ocean economy; and

Whereas, There have been no new offshore oil and gas leases in California since the 1969 blowout of a well in federal waters; and

Whereas, Beginning in 1921, and many times since, the California Legislature has enacted laws that withdrew certain offshore areas from oil and gas leasing, and by 1989 the state's offshore oil and gas leasing moratorium was in place; and

Whereas, In 1994, the California Legislature made findings in Assembly Bill 2444, Chapter 970 of the Statutes of 1994, that offshore oil and gas production in certain areas of state waters poses an unacceptably high risk of damage and disruption to the marine environment; and

Whereas, In the same bill, the Legislature created the California Coastal Sanctuary Act, which included all of the state's unleased waters subject to tidal influence and prohibited new oil and gas leases in the sanctuary, unless the President of the United States has found a severe energy supply interruption and has ordered distribution of the Strategic Petroleum Reserve, the Governor finds that the energy resources of the sanctuary will contribute significantly to alleviating that interruption, and the Legislature subsequently amends Chapter 970 of the Statutes of 1994 to allow that extraction; and

Whereas, Section 18 of the federal Outer Continental Shelf Lands Act (43 U.S.C. Sec. 1331 et seq.) requires the preparation of a nationwide offshore oil and gas leasing program that sets a five-year schedule of lease sales implemented by the Bureau of Ocean Energy Management within the United States Department of the Interior; and

Whereas, Consistent with the principles of Section 18 and the resulting regionally tailored leasing strategy, the current exclusion of the Pacific Outer Continental Shelf from new oil and gas development is consistent with the longstanding interests of Pacific coast states, as framed in the 2006 West Coast Governors' Agreement on Ocean Health adopted by the Governors of California, Washington, and Oregon; and

Whereas, In November 2016, the federal Bureau of Ocean Energy Management released a final 2017–2022 leasing program that continues the moratorium on oil and gas leasing in the undeveloped areas of the Pacific Outer Continental Shelf; and

Whereas, Governor Brown, in December 2016, requested that then President Obama permanently withdraw California's Outer Continental Shelf from new oil and gas leasing, and along with previous California Governors, has united with the Governors of Oregon and Washington in an effort to commit to developing robust renewable energy sources to reduce our dependence on fossil fuel and help us reach our carbon emission goals; and

Whereas, The California Legislature has led the nation with its landmark climate change legislation, requiring ambitious greenhouse gas emission reductions of a 40-percent emissions reduction below 1990 levels by 2030, and achieving a renewables portfolio standard of 50 percent by 2030; California must lead the nation in fostering the transition away from offshore fossil fuel production to protect both our climate and oceans from the damaging impacts of climate change, which will affect all life on earth for generations to come; and

Whereas, President Trump's proposed five-year National Offshore Oil and Gas Leasing Program represents a renewed call for opening offshore areas for drilling and for lifting moratoriums on energy production in federal areas, that could lead to more oil spills, increased dependence on fossil fuel, and more damaging impact from climate change; and

Whereas, The California Legislature considers new oil and gas development offshore of the Pacific coast to be a threat to the nation's economy and national security, and to the state's ambitious renewable energy goals; and

Whereas, The California Senate has previously adopted Senate Resolutions 35 and 44 in 2017, which support the current federal prohibition on new oil or gas drilling in federal waters offshore California, oppose attempts to modify the prohibition, and defend the United States' National Marine Sanctuaries; and

Whereas, Secretary of the Interior Ryan Zinke took action on June 29, 2017, to open up a 45-day public comment period for a new five-year National Offshore Oil and Gas Leasing Program on the Pacific coast's Outer Continental Shelf pursuant to President Donald J. Trump's Executive order on American energy that was issued on April 28, 2017; and

Whereas, Despite the Trump administration's assertion of support for the program from state and local governments, the States of Washington, Oregon, and California have been consistently united in their opposition to any new oil and gas activities off their coasts, which has resulted in the exclusion of the Pacific coast's Outer Continental Shelf from any National Outer Continental Shelf Program since the 1989–1992 program; now, therefore, be it

Resolved by the Senate of the State of California, That the Senate strongly urges the President and the Congress of the United States to permanently safeguard and protect the Pacific coast's Outer Continental Shelf from new oil and gas leasing, and declares the Senate's unequivocal support for the current federal prohibition on new oil or gas drilling in federal waters offshore of the Pacific coast, its opposition to the proposed five-year National Offshore Oil and Gas Leasing Program on the Outer Continental Shelf or any attempts to modify that prohibition, and its determination to consider any appropriate actions to maintain the current prohibition; and be it further

Resolved, That the Secretary of the Senate transmit a copy of this resolution to the National Program Manager of the federal Bureau of Ocean Energy Management as the public comment of the Legislature in opposition to the proposed new five-year National Offshore Oil and Gas Leasing Program on the Outer Continental Shelf; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and the Vice President of the United States, to the Governor of California, to the Majority and Minority Leaders of the United States Senate, to the Speaker and the Minority Leader of the United States House of Representatives, to each Senator and Representative from California in the Congress of the United States, to the Secretary of the United States Department of the Interior, to the Director of the federal Bureau of Ocean Energy Management, and to each member of the California State Senate and Assembly.

POM–86. A concurrent resolution adopted by the Legislative Assembly of the Commonwealth of Puerto Rico requesting the Comptroller General of the United States comply with the provisions of Section 411 of Public Law 114–187, known as the ''Puerto Rico Oversight, Management, and Economic Stability Act,'' in order to conduct and submit to the United States Congress an audit of the public debt of the territory of Puerto Rico; to the Committee on Energy and Natural Resources.

S. CON. RES. 17

STATEMENT OF MOTIVES

The Government of Puerto Rico is under the control of the ''Puerto Rico Oversight, Management, and Economic Stability Act'' (PROMESA), passed on June 30, 2016. Said federal statute provides for the creation of a Fiscal Oversight Board to assist the Government of Puerto Rico in managing its public finances and enable Puerto Rico to regain access to capital markets.

During the floor debate on PROMESA, it was made clear that the intent of said federal measure was to provide for the restructuring of the debt without favoring any specific creditor. To achieve this, the aforementioned federal legislation requires transparent audits along with annual fiscal and budget plans, and the temporary stay of litigations, to allow the Fiscal Oversight Board a space for carrying out voluntary negotiations. Thus, it was made clear that Puerto Rico's debt would be audited. In the words of Congressman Ryan: ''Congress and the President will appoint the members of this board. It will audit Puerto Rico's books and make sure the restructuring is open and fair [. . .].''

In light of such reality and as part of said processes and the approval of PROMESA, Section 411 was incorporated, directing the Comptroller General of the United States to submit reports on the public debt of the territory, that is, Puerto Rico, within a year of enactment, and thereafter not less than once every two years. Said report would include the historical levels of public debt, current amount and composition thereof, and future projections of each territory's public debt. It should also include the historical levels of each territory's revenue, current amount and composition of each territory's revenue, and future projections of each territory's revenue. Moreover, the report shall state the drivers and composition of the public debt as well as the ability of each territory to repay its public debt. To fulfill said undertaking, the Government of Puerto Rico would provide the Comptroller General with any information necessary to carry out said statutory task.

The approval of PROMESA and Section 411 invalidated the functions of the Commission for the Comprehensive Audit of the Public Credit (hereinafter, the Commission) created under Act No. 97–2015, to set a fiscal and financial restructuring process in motion in order to audit the entire public debt of Puerto Rico. Consequently, the Commission's purpose became redundant, entailing superfluous public spending.

The objectives of the Commission were considered even during the incorporation of Section 411 to PROMESA. For such reason, upon the enactment of said federal statute, it was clearly stated in Section 413 that the functions of the Commission would be independent to those provided in PROMESA. Furthermore, it was stated that ''[. . .] this particular amendment does not override the authority of the oversight board.'' Therefore, given the fiscal situation facing the Island, it would be contradictory to allocate resources and efforts, when the provisions of PROMESA require an audit conducted by the Comptroller General of the United States.

Consequently, and in accordance with PROMESA's provisions, the Comptroller General of the United States is entrusted with the audit Puerto Rico's debt, including the historical levels, current amount and composition thereof in the best interest of the People of Puerto Rico. Thusly, we obtain an independent and transparent evaluation of accountability that may be free from collateral attack and that may be effectively used by the Fiscal Oversight Board in carrying out the task entrusted thereto under PROMESA.

Be it Resolved by the Legislative Assembly of Puerto Rico:

Section 1.—The Comptroller General of the United States is hereby required to comply with the provisions of Section 411 of Public Law 114–187, known as the ''Puerto Rico

Oversight, Management, and Economic Stability Act,'' in order to conduct and submit to the U.S. Congress an audit of the public debt of the territory of Puerto Rico.

Section 2.—A copy of this Concurrent Resolution, translated into English, shall be delivered to the President of the United States, the leadership of the United States Congress, the Resident Commissioner of Puerto Rico in Washington D.C., and the media for its disclosure.

Section 3.—This Concurrent Resolution shall take effect immediately after its approval.

POM–87. A resolution adopted by the General Assembly of the State of New Jersey opposing the President of the United States's nomination for Administrator of the United States Environmental Protection Agency, and urging the United States Congress to oppose the nomination, to the Committee on Environment and Public Works.

ASSEMBLY RESOLUTION NO. 211

Whereas, Created in the wake of elevated concern about environmental pollution, the United States Environmental Protection Agency (EPA) was established on December 2, 1970 to consolidate in one agency a variety of federal research, monitoring, standard-setting, and enforcement activities to ensure protection of the environment and public health; and

Whereas, With a stated mission to protect the environment and human health, the EPA, since its inception, has been working for a cleaner, healthier environment for the American people; and

Whereas, The EPA's primary focus has always been, and should be, protecting residents of this country from threats to their air, water, and health, not serving as an advocate for the interests of the very industries that it is charged with regulating; and

Whereas, President Trump nominated Scott Pruitt, the attorney general of the oil and natural gas-intensive state of Oklahoma, to serve as Administrator of the EPA; and

Whereas, Mr. Pruitt has spent much of his energy as attorney general fighting the very agency he is being nominated to lead, and according to a biography publicly available on the website of the Oklahoma Office of the Attorney General, Mr. Pruitt ''is a leading advocate against the EPA's activist agenda''; and

Whereas, As Oklahoma Attorney General, Mr. Pruitt has engaged in lawsuits opposing EPA's policies aimed at protecting air quality and water quality, including being part of the coalition of state attorney generals suing the EPA over its Clean Power Plan, which is aimed at reducing greenhouse gas emissions from the electricity sector, its regulations seeking to curtail emissions of methane, a powerful greenhouse gas, from the oil and natural gas sector, and its regulation concerning the definition of ''Waters of the United States,'' which defines the rivers, streams, lakes, and marshes that fall under the protection of the EPA and the United States Army Corps of Engineers; and

Whereas, According to numerous press reports, President Trump has said ''For too long, the Environmental Protection Agency has spent taxpayer dollars on an out-of-control anti-energy agenda that has destroyed millions of Jobs''; and

Whereas, Strong environmental standards that protect public health and the environmental resources of this country are not contrary to a strong economy and the creation of jobs; and

Whereas, The Sierra Club, the nation's largest environmental organization, released the following statement about the nomination. ''Having Scott Pruitt in charge of the U S. Environmental Protection Agency is like putting an arsonist in charge of fighting fires He is a climate science denier who, as Attorney General for the state of Oklahoma, regularly conspired with the fossil fuel industry to attack EPA protections. Nothing less than our children's health is at stake . . .''; and

Whereas, Instead of nominating a person who seeks to promote the lobbying agenda of special interests and believes that strong environmental protections are obstacles that should be dismantled, the President should nominate a person who is guided by science and will work to ensure that residents of this country have clean air to breathe, clean water to drink, clean soils on which to live and play, and jobs that do not endanger their public health and safety; and

Whereas, In order to protect the health, safety, and welfare of the country's residents and its natural resources, it is altogether fitting and proper for this House to object to the President's nomination of Scott Pruitt as Administrator of the United States Environmental Protection Agency: Now, therefore, be it

Resolved by the General Assembly of the State of New Jersey:

1. This House strongly opposes President Trump's nomination of Scott Pruitt as Administrator of the United States Environmental Protection Agency and urges the United States Congress to oppose this nomination,

2. Copies of this resolution, as filed with the Secretary of State, shall be transmitted by the Clerk of the General Assembly to the President of the United States, the President of the United States Senate, the Senate Majority Leader, the Senate Minority Leader, the Speaker of the United States House of Representatives, the Minority Leader of the United States House of Representatives, and each member of Congress elected from the State of New Jersey.

POM–88. A concurrent resolution adopted by the Legislature of the State of Louisiana memorializing the United States Congress to take such actions as are necessary to complete the Comite River Diversion Canal Project, and to take such actions as are necessary to authorize the use of Hazard Mitigation Grant Program funds to complete the construction of an authorized United States Army Corps of Engineers project under the current emergency rules and circumstances, to the Committee on Environment and Public Works.

HOUSE CONCURRENT RESOLUTION NO. 97

Whereas, the flooding of August 2016 was declared a state and national disaster resulting in the loss of life and destruction of property; and

Whereas, the Comite River Diversion Canal Project remains incomplete twenty-five years after its authorization and if completed could have substantially reduced flood stages by as much as five feet and mitigated the devastation caused by the floods; and

Whereas, approximately $117 million of local, state, and federal funding has been invested in the project; and

Whereas, the state of Louisiana anticipates receiving Hazard Mitigation Grant Program funding from the Federal Emergency Management Agency as a result of the flood and the national declaration of emergency; and

Whereas, the flood of 2016 has shown the urgent need to complete the project as a means to protect life and property in the future as citizens impacted by the flood rebuild their homes and lives: Therefore, be it

Resolved, That the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary to complete the Comite River Diversion Canal Project; and be it further

Resolved, That the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary to authorize the use of Hazard Mitigation Grant Program funds to complete the construction of an authorized United States Army Corps of Engineers project under the current emergency rules and circumstances; and be it further

Resolved, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM–89. A resolution adopted by the General Assembly of the State of New Jersey urging the United States Senate not to enact H.R. 1628, the ''American Health Care Act of 2017'', to the Committee on Finance.

ASSEMBLY RESOLUTION NO. 252

Whereas, the Patient Protection and Affordable Care Act (ACA), which was signed into law on March 23, 2010, established a comprehensive series of health insurance reforms designed to make universal, quality, affordable health coverage available to all Americans while ending certain common health insurance industry practices that limited access to coverage; and

Whereas, since its enactment, the ACA has helped reduce the number of people without health insurance through the use of tax subsidies, coverage mandates, and expansions to Medicaid. In New Jersey alone, an additional 480,000 people obtained coverage under the Medicaid expansion, and the uninsured rate in the State was reduced to 8.7 percent, representing a 34 percent decrease in the uninsured population between 2013 and 2015: and

Whereas, on March 20, 2017, H.R.1628, the American Health Care Act of 2017 (AHCA), sometimes known as ''Trumpcare,'' was introduced in the United States House of Representatives. On May 4, 2017, the House voted to pass the bill; and

Whereas, on March 23, 2017, the nonpartisan Congressional Budget Office (CBO) estimated that the AHCA would result in an additional 24 million people being without health insurance by 2026, as compared with the uninsured rate under the ACA. Although the House of Representatives amended the bill prior to passage, the membership did not wait for a new CBO score before holding a vote, suggesting the House passed the bill without the benefit of an impartial analysis of its potential effects; and

Whereas, as passed by the House of Representatives, the AHCA would eliminate many of the provisions of the ACA that were designed to expand access to health insurance, including rolling back the Medicaid expansion; and

Whereas, in its current form, Trumpcare would revise the way tax subsidies are structured and allow states to opt out of certain ACA protections designed to prevent certain industry practices that limited access to health care for women and individuals with preexisting conditions; and

Whereas, specifically, under the current version of the AHCA, states would be allowed to opt out of the requirement that all health insurance policies include coverage for essential health benefits, including emergency services, habilitative and rehabilitative services, inpatient care, outpatient care, maternity and newborn care, mental health and addiction treatment, lab tests, preventative care, prescriptions, and pediatric services; and

Whereas, before enactment of the ACA, women who wanted coverage for maternity

and newborn care were frequently charged premiums and deductibles that nearly matched the out of pocket costs for those services. Experts predict that, in states that opt out of the maternity and newborn care coverage requirement, women will again be charged significantly higher rates for this coverage; and

Whereas, the nation is currently in the midst of an opioid addiction epidemic that has caused overdose and mortality rates to skyrocket. Efforts to address and curtail opioid addiction could be significantly hampered in states that opt out of mandatory coverage for mental health and addiction treatment; and

Whereas, prior to enactment of the ACA, insurers denied coverage to people with preexisting conditions or charged them significantly higher premiums and deductibles; 35 states and the federal government created high risk pools to attempt to provide coverage to these individuals, however, the pools were expensive to operate and required significant governmental subsidies. Even with the subsidies, the pools were generally unable to provide coverage to everyone with a preexisting condition, and many pools implemented waiting lists, annual and lifetime limits on coverage, high deductibles, and waiting periods before coverage began; and

Whereas, in its current form, Trumpcare would replace coverage protections for people with preexisting conditions with the same high risk pools that failed in the past. According to an analysis published by Avelere, the $23 billion included in the Trumpcare plan to fund the pools would cover approximately five percent of the 2.2 million people with preexisting conditions; the Commonwealth Fund estimates that high risk pools will require $178 billion in funding each year to coves everyone with a preexisting condition; and

Whereas, New Jersey Policy Perspective predicts that rolling back the Medicaid expansion will eliminate coverage for 562,000 people in New Jersey, and permanent structural changes to Medicaid will jeopardize coverage for an additional 1.8 million State residents, including seniors, people with disabilities, and children; and

Whereas, under the AHCA, it is estimated that a total of 1.25 million New Jersey residents will be uninsured by 2020. This would be an increase of 127,000 over the number of uninsured people prior to the enactment of the ACA, and includes 86,000 people who had coverage under Medicaid prior to enactment of the ACA, but are expected to lose coverage because the State will not be able to replace lost federal funding; and

Whereas, it would cost New Jersey an estimated $8.8 billion over the next decade to maintain Medicaid coverage at the expanded levels, assuming there is no increase in enrollment; and

Whereas, according to New Jersey Policy Perspective, caps on Medicaid spending under Trumpcare will cost New Jersey $30 billion in federal funds and potentially result in tens of thousands of lost jobs; and

Whereas, the AHCA is expected to increase out-of-pocket health care costs by an average of $2,740 per year for each of the 250,000 New Jersey residents who purchase insurance through the ACA marketplace; and

Whereas, although the AHCA would provide 250 New Jersey millionaires with a federal tax break averaging $57,000 per year, it is expected to increase federal taxes by 30 percent for middle and lower income New Jerseyans; and

Whereas, the Center for American Progress conservatively estimates that it will cost $790 million per year to provide health coverage for the 37,000 New Jerseyans with a preexisting condition. Currently, the AHCA would allocate an average $353 million to each state, leaving New Jersey with a $437 million funding gap, the 11th highest in the nation; and

Whereas, numerous health care groups have expressed opposition to the AHCA, including the American Medical Association, the American Hospital Association, the American Academy of Family Physicians, the National Alliance on Mental Illness, and the American Diabetes Association; and

Whereas, an increase in the number of uninsured individuals will likely increase costs for hospitals, which are required to treat anyone who presents at the emergency department, regardless of their coverage status. In New Jersey, expanded Medicaid coverage under the ACA resulted in $400 million in cost savings from payments to hospitals to offset the cost of caring for individuals without insurance. These gains are likely to be erased under Trumpcare to its current form; and

Whereas, if enacted, the AHCA will eliminate health security for millions of Americans, particularly older adults, women, and individuals with preexisting conditions. The United States Senate has both the opportunity and the responsibility to stop this disastrous legislation from becoming law; Now, therefore, be it

Resolved, by the General Assembly of the State of New Jersey:

1. The General Assembly of New Jersey respectfully urges the United States Senate not to enact H.R. 1628, titled the American Health Care Act of 2017.

2. Copies of this resolution, as filed with the Secretary of State, shall be transmitted by the Clerk of the General Assembly to the President and Vice President of the United States, the Majority and Minority Leaders of the United States Senate, the Speaker and Minority Leader of the United States House of Representatives, and every member of the Congress of the United States elected from the State of New Jersey.

POM–90. A resolution adopted by the House of Representatives of the Legislature of the State of Texas urging the United States Congress to support policies to increase the operational efficiency, and thereby the environmental performance, of existing electric-generating units and to support the preservation of a fuel-diverse electric generation portfolio critical to our domestic economic, energy, and national security; to the Committee on Finance.

H.R. No. 1833

Whereas, Fossil fuels, including coal, natural gas, and oil, currently meet more than three quarters of primary global energy demand around the world and in the United States; and

Whereas, According to the International Energy Agency, under current energy and environmental policies, fossil fuels will continue to play a role of this magnitude for the next quarter century or more; even assuming global adoption of policies consistent with the IEA's ''climate-stabilizing'' 450 Scenario, more than half of total worldwide and U.S. energy demand would still be met by fossil fuels in 2040; and

Whereas, The U.S. Department of Energy has reported that ''carbon capture, utilization, and storage technologies provide a key pathway to address the urgent U.S. and global need for affordable, secure, resilient, and reliable sources of clean energy''; environmental advocates who recognize the value and enduring role of fossil fuels as an essential source of energy have come to support the accelerated development and broad deployment of carbon capture technologies for fossil fuels as part of a sustainable energy future; similarly, fossil energy advocates who have recognized the role carbon capture can play in creating new opportunities support the development and deployment of carbon capture technologies for fossil fuels; and

Whereas, The United States and Texas have abundant supplies of fossil energy, the production and use of which provide important economic, energy, and national security benefits to our nation and our state; Texas is the nation's largest producer of natural gas, oil, lignite coal, and fossil fuels in total, and it has the nation's largest proved reserves of both natural gas and oil, as well as the ninth-largest recoverable reserves of coal; it is the nation's largest consumer of coal for electricity generation and the largest consumer of natural gas for both electricity generation and industrial use; 77 percent of the electricity generated in Texas is produced from the use of fossil fuels; and

Whereas, Reliable and affordable electricity is vital to economic growth and job creation and to the well-being of all citizens; according to the U.S. Department of Energy, ''A diverse portfolio of energy resources is critical to U.S. energy and national policy . . . being more robust and resilient in comparison to a system that is heavily dependent on a limited set of energy resources . . . [and] helps insulate the economy from certain risks, including price volatility and risks from supply disruptions''; and

Whereas, Texas is a leader in the research and development of technologies that provide clean, safe, and reliable power generation, and it is committed to continued research and development of carbon reduction strategies for fossil fuels, including existing and emerging CCUS technologies such as geological sequestration, mineral carbonation, and the beneficial use of captured carbon dioxide; and

Whereas, In Texas, many academic, private, and governmental initiatives and institutions are engaged in efforts to address the environmental, health, and economic impacts of energy production and use through collaborations on applied CO2 research, practical applications, workforce development, and public education; among them are the Petra Nova Project at the W. A. Parish Electric Generating Station in Fort Bend County, the Texas Clean Energy Project in Ector County, the NET Power project in Harris County, the Energy and Environment Initiative at Rice University, the Texas Carbon Management Project, and the Gulf Coast Carbon Center at The University of Texas at Austin; and

Whereas, Legislation was introduced in the 114th U.S. Congress to enhance and extend current federal tax incentives, under Section 45Q of the Internal Revenue Code, that sustain and promote such collaborations and encourage private industry in energy generation, manufacturing, and agriculture to adopt and deploy existing and emerging technologies that increase carbon capture, utilization, and storage; environmental and energy advocates have come together in support of this legislation in a groundbreaking coalition of environmental advocacy groups, labor unions, and energy producers from the coal, oil and gas, ethanol, and algae-biomass industries; moreover, the legislation has received strong bipartisan support in both the United States Senate and the United States House of Representatives; and

Whereas, Congress and the president are also currently considering a large-scale federal infrastructure initiative to strengthen our nation's transportation, public works, and energy infrastructure, which could also serve as a vehicle for advancing ''jobs-ready'' carbon capture projects; the U.S. Department of Energy has determined that ''a combination of tax incentives and research, development, demonstration, and deployment

(RDD&D) will be critical to developing transformational carbon capture technologies and to driving down the costs of capture''; and

Whereas, The Lone Star State has long been committed to a forward-looking energy strategy that maximizes both environmental quality and economic opportunity; Now, therefore, be it

Resolved, That the House of Representatives of the 85th Texas Legislature hereby respectfully urge the Congress of the United States to enact legislation to expand and extend the current federal tax credit for carbon capture, utilization, and storage under Section 45Q of the Internal Revenue Code; and, be it further

Resolved, That the Texas House of Representatives respectfully urge Congress to provide appropriations to the U.S. Department of Energy sufficient to achieve and sustain a robust carbon capture research, development, demonstration, and deployment program and to support the inclusion of economically and environmentally beneficial carbon capture projects in any forthcoming federal infrastructure initiative; and, be it further

Resolved, That the Texas House of Representatives respectfully urge Congress to support policies to increase the operational efficiency, and thereby the environmental performance, of existing electric-generating units and to support the preservation of a fuel-diverse electric generation portfolio critical to our domestic economic, energy, and national security; and, be it further

Resolved, That the chief clerk forward official copies of this resolution to the president of the United States, to the president of the Senate and the speaker of the House of Representatives of the United States Congress, and to all the members of the Texas delegation to Congress with the request that this resolution be entered in the Congressional Record as a memorial to the Congress of the United States of America.

POM–91. A joint resolution adopted by the Legislature of the State of California opposing cuts to and proposals to privatize Social Security, Medicare, and Medicaid and calling on California's Representatives in the United States Congress to vote against cuts and proposals to privatize and to support legislation to improve and expand these systems to strengthen their protections, to the Committee on Finance.

ASSEMBLY JOINT RESOLUTION NO. 8

Whereas, Social Security, Medicare, and Medicaid are the foundation of the income and health security of older Americans, younger Americans with permanent and severe disabilities, and American families, whose economic circumstances preclude them from purchasing health insurance in the private market; and

Whereas, Social Security is our nation's most important source of retirement income, providing more than half the income of two-thirds of senior beneficiaries and virtually all the income of one-third of them; its most important source of disability insurance; and its most important life insurance program; and

Whereas, Social Security and Medicare are the foundations of income and health security for older Californians and those with severe work disabilities, providing monthly cash benefits and health insurance to over 5.5 million residents, including almost 4 million retired workers and over 700,000 disabled workers; and

Whereas, Social Security is the single most important source of life insurance for California's children, which currently provides a virtually guaranteed income to over 350,000 children throughout our state; and

Whereas, Social Security prevents more than 1.9 million Californians from living in poverty; and

Whereas, Social Security is even more important to rural Californians, one in 4 of whom received benefits in 2014, than to metropolitan Californians, one in 7 of whom received benefits; and

Whereas, Social Security benefits annually contribute over $80 billion to our state's economy; and

Whereas, Social Security provides benefits to over 9 million veterans nationwide, which is about 4 out of every 10 veterans; and

Whereas, Our nation is facing a retirement income crisis as the result of the decline of traditional pensions, the failure of 401(k) balances, and the stagnation or even decline in many areas of home equity and earnings, all of which have caused many workers to fear that they will never be able to retire and maintain their standard of living; and

Whereas, 47 percent of elderly Californians are struggling just to make ends meet and more than half of working Californians will not have saved enough to be able to maintain their standard of living in retirement; and

Whereas, Improving Social Security benefits is a solution to the retirement crisis; as well as to other serious problems such as rising income and wealth inequality; and

Whereas, Social Security's funding is independent of that of the rest of the federal government, and has never contributed to, and by law can never contribute to, the federal deficit; and

Whereas, Social Security in fact had a surplus of $2.8 trillion at the end of 2015 that is expected to grow to $2.9 trillion by 2020; and

Whereas, Social Security has sufficient resources to meet all its obligations through 2034 and has dedicated revenues that would meet three-quarters of promised benefits thereafter; and

Whereas, Social Security's funding shortfall after 2034 is modest: about half the cost of the Bush tax cuts of 2001 and 2003; and

Whereas, There are many policy options available to Congress to close Social Security's long-term funding gap and to improve its benefits, including eliminating or increasing the cap on earnings subject to the payroll tax, or gradually increasing the contribution rate from 6.2 percent to 7.2 percent, or subjecting investment income to Social Security contributions, or treating contributions to all salary reduction plans like 401(k) plans as covered earnings for Social Security, or by dedicating revenues from progressive taxes like the estate tax or a financial transactions tax to pay part of the future cost of Social Security; and

Whereas, According to a multigeneration study conducted by the National Academy of Social Insurance, 77 percent of Americans (69 percent of Republicans, 84 percent of Democrats, and 76 percent of Independents) agree that it is critical to preserve Social Security for future generations even if it means increasing taxes paid by working Americans, and there is even greater multipartisan support (71 percent of Republicans, 92 percent of Democrats, and 84 percent of Independents) for preserving it by increasing taxes paid by wealthier Americans; and

Whereas, Medicare has provided health care in retirement since 1965 and in disability since 1972 to several generations of American workers; and

Whereas, Medicare now covers over 5.6 million Californians, providing over $50 billion in benefits to California's senior and disabled beneficiaries in 2009 (22 percent of all health spending in the state); and

Whereas, Medicare insures these people, who represent the part of our population with the highest health care costs, at a fraction of the administrative costs of private health care plans; and

Whereas, Medicare has controlled its costs of care better than private insurance plans; and

Whereas, Other nations, which essentially have Medicare for all of their citizens, are able to provide high-quality health care at a fraction of the cost and with better health care outcomes; and

Whereas, Current proposals in Congress to radically reduce Medicare to a ''premium support'' or ''voucher'' program and to further privatize the system would result in increased health care insecurity and costs for seniors and disabled beneficiaries and reduce the ability of our government to contain our nation's overall health care expenditures, which currently equal 17.8 percent of our gross domestic product (GDP), by far the highest relative cost of any industrialized nation (the euro area's costs are about 8 percent); and

Whereas, Medicaid is our nation's most important source of long-term care, as well as vital insurance for our most vulnerable seniors, children, and people with disabilities, providing health coverage to over 74 million people; and

Whereas, Medicaid provides health coverage to over 12 million Californians whose economic circumstances preclude them from participating in the private health care insurance system, yet who need and deserve medical treatment as much as any American in better economic circumstances; and

Whereas, Current Congressional proposals to limit federal Medicaid funding through the use of block grants to the states threaten to severely limit Medicaid's ability to provide adequate health care coverage to the most vulnerable among us; and

Whereas, Our Social Security, Medicare, and Medicaid systems are fundamental to protecting against risks to which all Californians are subject; and

Whereas, Our Social Security, Medicare, and Medicaid systems give expression to widely held values, including caring for our families, our neighbors, and ourselves, personal responsibility, hard work, and personal dignity; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature opposes cuts to and proposals to privatize Social Security, Medicare, and Medicaid and calls on our state's Representatives in Congress to vote against cuts and proposals to privatize and to support legislation to improve and expand these systems to strengthen their protections; and be it further

Resolved, That the Legislature calls on the President of the United States to honor his campaign promise not to cut these programs, to veto any legislation to do so, and to work with Congress to expand and improve these programs; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Majority Leader of the Senate, and to each Senator and Representative from California in the Congress of the United States.

POM–92. A resolution adopted by the House of Representatives of the Legislature of the State of Texas urging the United States Congress to recognize the importance of trade between Texas and Mexico and foster international commerce, to the Committee on Finance.

H.R. NO. 1025

Whereas, Trade between Texas and Mexico plays a vital role in the economic prosperity of the Lone Star State; and

Whereas, Each year, Texas sends about 36 percent of the state's total exports to Mexico, and in 2015, exports to Mexico totaled nearly $92.5 million; goods exported to Mexico include computer and electronic products, petroleum and coal products, chemicals, machinery, and transportation equipment, all of which are produced by industries that supply hundreds of thousands of jobs to the Lone Star State; and

Whereas, Since the ratification of the North American Free Trade Agreement in 1994, the export of U.S. goods to Mexico has risen 325 percent, while imports into the United States from Mexico have increased 458 percent; in 2012, Americans spent $277.5 billion for goods from Mexico, and Mexico is America's third-largest supplier of oil, after Canada and Saudi Arabia; additionally, nearly half of the tomatoes and two-thirds of the mangoes consumed in the United States come from Mexico; and

Whereas, The importance of this trade to Texas border cities, counties, and businesses is very significant, and disruption to international commerce would be economically damaging; and

Whereas, Mexico is the largest trading partner of Texas and the third-largest of the United States, and it is imperative that our federal government take proactive steps to strengthen ties with Mexico and build bridges of economic opportunity that will benefit Texas and the entire nation: Now, therefore, be it

Resolved, That the House of Representatives of the 85th Texas Legislature hereby urge the United states Congress to recognize the importance of trade between Texas and Mexico and foster international commerce; and, be it further

Resolved, That the chief clerk of the house forward official copies of this resolution to the president of the United States, to the president of the Senate and the speaker of the House of Representatives of the United States Congress, and to all the members of the Texas delegation to Congress with the request that this resolution be entered in the Congressional Record as a memorial to the Congress of the United States of America.

POM–93. A resolution adopted by the House of Representatives of the State of Florida opposing United Nations Security Council Resolution 2334 and requesting its repeal or fundamental alteration; to the Committee on Foreign Relations.

HOUSE RESOLUTION 281

Whereas, the United States has long supported a negotiated settlement leading to a sustainable two-state solution with the democratic, Jewish state of Israel and a demilitarized, democratic Palestinian state living side-by-side in peace and security, and

Whereas, since 1993, the United States has facilitated direct, bilateral negotiations between both parties toward achieving a two-state solution and ending all outstanding claims, and

Whereas, it is the long-standing policy of the United States that a peaceful resolution to the Israeli-Palestinian conflict will only come through direct, bilateral negotiations between the two parties, and

Whereas, it was the long-standing position of the United States to oppose and, if necessary, veto United Nations Security Council resolutions dictating additional binding parameters on the peace process, and

Whereas, it was also the long-standing position of the United States to oppose and, if necessary, veto one-sided or anti-Israel United Nations Security Council resolutions, and

Whereas, the United States has stood in the minority internationally over successive administrations in defending Israel in international forums, including vetoing one-sided resolutions in 1995, 1997, 2001, 2002, 2003, 2004, 2006, and 2011 before the United Nations Security Council, and

Whereas, the United States recently signed a new memorandum of understanding with the Israeli government regarding security assistance, consistent with long-standing support for Israel among successive administrations and Congresses and representing an important United States commitment toward Israel's qualitative military edge, and

Whereas, on November 29, 2016, the United States House of Representatives unanimously passed House Concurrent Resolution 165, expressing and reaffirming long-standing United States policy in support of a direct, bilaterally negotiated settlement of the Israeli-Palestinian conflict and in opposition to United Nations Security Council resolutions that impose a solution to the conflict, and

Whereas, on December 23, 2016, the United States Permanent Representative to the United Nations disregarded House Concurrent Resolution 165 and departed from long-standing United States policy by abstaining and permitting United Nations Security Council Resolution 2334 to be adopted under Chapter VI of the United Nations Charter, and

Whereas, the United States' abstention on United Nations Security Council Resolution 2334 contradicts the Oslo Accords and its associated process that is predicated on resolving the Israeli-Palestinian conflict between the parties through direct, bilateral negotiations, and

Whereas, United States Security Council Resolution 2334 claims that "the establishment by Israel of settlements in the Palestinian territory occupied since 1967, including East Jerusalem, has no legal validity and constitutes a flagrant violation under international law and a major obstacle to the achievement of the two-State solution and a just, lasting and comprehensive peace," and

Whereas, by referring to the "4 June 1967 lines" as the basis for negotiations, United Nations Security Council Resolution 2334 effectively states that the Jewish Quarter of the Old City of Jerusalem and the Western Wall, Judaism's holiest site, are "occupied territory," thereby equating these sites with outposts in the West Bank that the Israeli government has deemed illegal, and

Whereas, passage of United Nations Security Council Resolution 2334 effectively legitimizes efforts by the Palestinian Authority to impose its own solution through international organizations and unjustified boycotts or divestment campaigns against Israel by calling "upon all States, bearing in mind paragraph 1 of this resolution, to distinguish, in their relevant dealings, between the territory of the State of Israel and the territories occupied since 1967:" and will require the United States and Israel to take effective action to counteract the resolution's potential harmful impacts, and

Whereas, United Nations Security Council Resolution 2334 did not directly call upon Palestinian leadership to fulfill their obligations toward negotiations or mention that part of the eventual Palestinian state is currently controlled by Hamas, a designated terrorist organization, and

Whereas, United Nations Security Council Resolution 2334 sought to impose or unduly influence solutions to final-status issues and is biased against Israel: Now, therefore, be it

Resolved by the House of Representatives of the State of Florida, That the Florida House of Representatives finds:

(1) The passage of United Nations Security Council Resolution 2334 undermined the long-standing position of the United States to oppose and veto United Nations Security Council resolutions that seek to impose solutions to final-status issues or are one-sided and anti-Israel, reversing decades of bipartisan agreement.

(2) The passage of United Nations Security Council Resolution 2334 undermines the prospect of Israelis and Palestinians resuming productive, direct, bilateral negotiations.

(3) The passage of United Nations Security Council Resolution 2334 contributes to the politically motivated acts of boycotting, divesting from, and sanctioning Israel and represents a concerted effort to extract concessions from Israel outside of direct, bilateral negotiations between the Israelis and Palestinians, which must be actively rejected.

(4) Any future measures taken by any organization, including the United Nations Security Council, to impose an agreement or parameters for an agreement will set back the peace process, harm the security of Israel, contradict the enduring bipartisan consensus on strengthening the United States-Israel relationship, and weaken support for such organizations.

(5) A durable and sustainable peace agreement between Israel and the Palestinians is only possible with direct, bilateral negotiations between the parties resulting in a Jewish, democratic state living next to a demilitarized Palestinian state in peace and security.

(6) The United States government should work to facilitate serious, direct, unconditional negotiations between the parties toward a sustainable peace agreement.

(7) The United States government should oppose and veto future one-sided, anti-Israel United Nations Security Council resolutions that seek to impose solutions to final-status issues.

That the Florida House of Representatives opposes and requests the repeal or fundamental alteration of United Nations Security Council Resolution 2334 so that the resolution:

(1) Is no longer one-sided and anti-Israel.

(2) Authorizes all final-status issues toward a two-state solution to be resolved through direct, bilateral negotiations between the parties involved. Be it further

Resolved That copies of this resolution be presented to the President of the United States, the President and Secretary of the United States Senate, the Speaker and Clerk of the United States House of Representatives, and the Israeli Embassy in Washington, D.C. for transmission to the proper authorities of the State of Israel as a tangible token of the sentiments expressed herein.

POM–94. A resolution adopted by the House of Representatives of the State of Florida opposing United Nations Security Council Resolution 2334 and requesting its repeal or fundamental alteration; to the Committee on Foreign Relations.

HOUSE RESOLUTION 281

Whereas, the United States has long supported a negotiated settlement leading to a sustainable two-state solution with the democratic, Jewish state of Israel and a demilitarized, democratic Palestinian state living side-by-side in peace and security, and

Whereas, since 1993, the United States has facilitated direct, bilateral negotiations between both parties toward achieving a two-state solution and ending all outstanding claims, and

Whereas, it is the long-standing policy of the United States that a peaceful resolution to the Israeli-Palestinian conflict will only come through direct, bilateral negotiations between the two parties, and

Whereas, it was the long-standing position of the United States to oppose and, if necessary, veto United Nations Security Council

resolutions dictating additional binding parameters on the peace process, and

Whereas, it was also the long-standing position of the United States to oppose and, if necessary, veto one-sided or anti-Israel United Nations Security Council resolutions, and

Whereas, the United States has stood in the minority internationally over successive administrations in defending Israel in international forums, including vetoing one-sided resolutions in 1995, 1997, 2001, 2002, 2003, 2004, 2006, and 2011 before the United Nations Security Council, and

Whereas, the United States recently signed a new memorandum of understanding with the Israeli government regarding security assistance, consistent with long-standing support for Israel among successive administrations and Congresses and representing an important United States commitment toward Israel's qualitative military edge, and

Whereas, on November 29, 2016, the United States House of Representatives unanimously passed House Concurrent Resolution 165, expressing and reaffirming long-standing United States policy in support of a direct, bilaterally negotiated settlement of the Israeli-Palestinian conflict and in opposition to United Nations Security Council resolutions that impose a solution to the conflict, and

Whereas, on December 23, 2016, the United States Permanent Representative to the United Nations disregarded House Concurrent Resolution 165 and departed from long-standing United States policy by abstaining and permitting United Nations Security Council Resolution 2334 to be adopted under Chapter VI of the United Nations Charter, and

Whereas, the United States' abstention on United Nations Security Council Resolution 2334 contradicts the Oslo Accords and its associated process that is predicated on resolving the Israeli-Palestinian conflict between the parties through direct, bilateral negotiations, and

Whereas, United Nations Security Council Resolution 2334 claims that "the establishment by Israel of settlements in the Palestinian territory occupied since 1967, including East Jerusalem, has no legal validity and constitutes a flagrant violation under international law and a major obstacle to the achievement of the two-State solution and a just, lasting and comprehensive peace," and

Whereas, by referring to the "4 June 1967 lines" as the basis for negotiations, United Nations Security Council Resolution 2334 effectively states that the Jewish Quarter of the Old City of Jerusalem and the Western Wall, Judaism's holiest site, are "occupied territory," thereby equating these sites with outposts in the West Bank that the Israeli government has deemed illegal, and

Whereas, passage of United Nations Security Council Resolution 2334 effectively legitimizes efforts by the Palestinian Authority to impose its own solution through international organizations and unjustified boycotts or divestment campaigns against Israel by calling "upon all States, bearing in mind paragraph 1 of this resolution, to distinguish, in their relevant dealings, between the territory of the State of Israel and the territories occupied since 1967," and will require the United States and Israel to take effective action to counteract the resolution's potential harmful impacts, and

Whereas, United Nations Security Council Resolution 2334 did not directly call upon Palestinian leadership to fulfill their obligations toward negotiations or mention that part of the eventual Palestinian state is currently controlled by Hamas, a designated terrorist organization, and

Whereas, United Nations Security Council Resolution 2334 sought to impose or unduly influence solutions to final-status issues and is biased against Israel; Now, therefore, be it

Resolved by the House of Representatives of the State of Florida:

That the Florida House of Representatives finds:

(1) The passage of United Nations Security Council Resolution 2334 undermined the long-standing position of the United States to oppose and veto United Nations Security Council resolutions that seek to impose solutions to final-status issues or are one-sided and anti-Israel, reversing decades of bipartisan agreement.

(2) The passage of United Nations Security Council Resolution 2334 undermines the prospect of Israelis and Palestinians resuming productive, direct, bilateral negotiations.

(3) The passage of United Nations Security Council Resolution 2334 contributes to the politically motivated acts of boycotting, divesting from, and sanctioning Israel and represents a concerted effort to extract concessions from Israel outside of direct, bilateral negotiations between the Israelis and Palestinians, which must be actively rejected.

(4) Any future measures taken by any organization, including the United Nations Security Council, to impose an agreement or parameters for an agreement will set back the peace process, harm the security of Israel, contradict the enduring bipartisan consensus on strengthening the United States-Israel relationship, and weaken support for such organizations.

(5) A durable and sustainable peace agreement between Israel and the Palestinians is only possible with direct, bilateral negotiations between the parties resulting in a Jewish, democratic state living next to a demilitarized Palestinian state in peace and security.

(6) The United States government should work to facilitate serious, direct, unconditional negotiations between the parties toward a sustainable peace agreement.

(7) The United States government should oppose and veto future one-sided, anti-Israel United Nations Security Council resolutions that seek to impose solutions to final-status issues.

That the Florida House of Representatives opposes and requests the repeal or fundamental alteration of United Nations Security Council Resolution 2334 so that the resolution:

(1) Is no longer one-sided and anti-Israel.

(2) Authorizes all final-status issues toward a two-state solution to be resolved through direct, bilateral negotiations between the parties involved; and be it further

Resolved, That copies of this resolution be presented to the President of the United States, the President and Secretary of the United States Senate, the Speaker and Clerk of the United States House of Representatives, and the Israeli Embassy in Washington, D.C., for transmission to the proper authorities of the State of Israel as a tangible token of the sentiments expressed herein.

POM–95. A resolution adopted by the House of Representatives of the State of Louisiana recognizing the Natchitoches Tribe of Louisiana as an Indian tribe; to the Committee on Indian Affairs.

HOUSE RESOLUTION NO. 227

Whereas, the Indian Removal Act of 1830 forced many Indians living east of the Mississippi River to sell their lands and move to less fertile lands on a Western reservation that would not be taken from them; and

Whereas, the five tribes most affected by the Indian Removal Act of 1830 through the loss of lives, homes, and land were the Chickasaw, Creek, Choctaw, Seminole, and Cherokee; and

Whereas, the Indian Removal Act of 1830 caused Indians living in the South to embark on what became known as the "Trail of Tears" from 1830 to 1842; and

Whereas, as a result of the Indian Removal Act of 1830, many small groups of the five tribes escaped and crossed the Mississippi River into Louisiana and settled near the central and western part of Louisiana in the present-day parishes of Rapides, Vernon, Natchitoches, and Calcasieu, which was referred to as "No Man's Land" or "Rio Hondo"; and

Whereas, the Natchitoches Tribe of Louisiana exists today, and the tribe has full documentation of bloodlines of all tribal members, as well as many documented sources regarding the activities of the tribe; and

Whereas, it is imperative that the state of Louisiana recognize Indian tribes within its borders, to support their tribal aspirations, to preserve their cultural heritage and improve their economic conditions, and to assist them in the achievement of their just rights: Therefore, be it

Resolved, That the House of Representatives of the Legislature of Louisiana does hereby recognize the Natchitoches Tribe of Louisiana as an Indian tribe of the state; be it further

Resolved, That the Congress of the United States and the United States Bureau of Indian Affairs are hereby memorialized, requested, and urged to take such steps as are necessary to effect the formal recognition of the Natchitoches Tribe of Louisiana as an Indian tribe, and to acknowledge that the rights of the Natchitoches Tribe of Louisiana are no less than those of other Indian tribes in the United States, and, accordingly, to take such executive or congressional action as may be appropriate; and be it further

Resolved, That copies of this Resolution be transmitted to the president of the United States, the presiding officers of the Senate and the House of Representatives of the Congress of the United States, each member of the Louisiana congressional delegation, and the director of the Bureau of Indian Affairs, United States Department of the Interior.

POM–96. A joint resolution adopted by the Legislature of the State of New Mexico rescinding three previous applications to the United States Congress to call a convention to propose amendments to the United States Constitution; to the Committee on the Judiciary.

HOUSE JOINT RESOLUTION 10

Whereas, Article 5 of the United States constitution reads in part as follows: "the Congress . . . on the Application of the Legislatures and two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States"; and

Whereas, in 1951, the legislature of New Mexico passed House Joint Resolution Number 12 to make an application to the United States congress to call a convention to propose specified amendments to the United States constitution; and

Whereas, in 1965, the legislature of New Mexico passed Senate Joint Resolution Number 2 to make an application to the United States congress to call a convention to propose a specified amendment to the United States constitution; and

Whereas, in 1976, the legislature of New Mexico passed Senate Joint Resolution 1 to make an application to the United States congress to call a convention to propose a specified amendment to the United States constitution; Now, therefore, be it

Resolved, By the Legislature of the State of New Mexico that House Joint Resolution Number 12, passed in the first session of the twentieth legislature of the state of New Mexico, Senate Joint Resolution Number 2, passed in the first session of the twenty-seventh legislature of the state of New Mexico, and Senate Joint Resolution 1, passed in the second session of the thirty-second legislature of the state of New Mexico, be rescinded; and be it further

Resolved, That copies of this resolution be transmitted, within thirty days of its passage, to the speaker of the United States house of representatives, the clerk of the United States house of representatives, the president of the United States senate, the secretary of the United States senate and the members of the New Mexico congressional delegation; and be it further

Resolved, That a request be hereby made that the official journals and record of the senate and the house of representatives of the United States congress include the resolution or a notice of its receipt.

POM–97. A resolution adopted by the General Assembly of the State of New Jersey condemning the United States Executive Order concerning immigration and the firing of the Acting Attorney General, and supporting legal action by other states against the immigration ban; to the Committee on the Judiciary.

ASSEMBLY RESOLUTION NO. 138

Whereas, President Donald Trump signed an Executive Order on January 27, 2017 selectively banning entry of immigrants and nonimmigrants from seven Muslim-majority countries: Iran, Iraq, Libya, Somalia, Sudan, Syria, and Yemen for 90 days; suspending refugee admission for 120 days; and barring all Syrian refugees from entering the United States indefinitely; and

Whereas, the ban reportedly has resulted in individuals with legal resident status and valid visas being denied entry into the United States, many of whom have been trapped overseas and separated from their families; and

Whereas, those reportedly denied entry include children, students and professors of United States institutions of higher education, employees of United States corporations, and Iraqis who have worked with the United States military against militant extremist groups in their own country; and

Whereas, the states of Washington and Minnesota have challenged the ban in federal court on the grounds that it violates the equal protection, establishment, and due process clauses of the United States Constitution and the federal Immigration and Nationality Act of 1965; and

Whereas, Judge Robart of the Federal District Court in Seattle, Washington issued a temporary nationwide restraining order halting the President's Executive Order; and

Whereas, President Trump's reaction was to immediately ridicule the Judge referring to him as a ''so-called Judge''; and

Whereas, the President's action disrespects the separation of powers which forms the basis of our government; and

Whereas, more than 15 Attorneys General have filed an amicus brief supporting the court's temporary stay against the Executive Order; and

Whereas, nearly 100 United States corporations have filed an amicus brief opposing the President's immigration ban, arguing that American workers and the economy will suffer; and

Whereas, the President of the United States fired the Acting Attorney General of the United States for refusing to defend the Executive Order, as she was not convinced the Executive Order was lawful, and as such, not consistent with her responsibility to uphold the laws of the United States; and

Whereas, firing the Acting Attorney General for upholding her oath of office sends a negative message to top-level federal Executive Branch employees, likely having a chilling effect on their willingness to speak truth to power and uphold their responsibilities; and

Whereas, the immigration ban is arbitrarily directed at those adhering to one specific religion, violating one of the United States Constitution's most fundamental tenets, the freedom of religion; and

Whereas, the United States has always been a nation that welcomes and protects those seeking to practice their religious beliefs without fear of government interference or persecution; and

Whereas, the United States is a nation of immigrants, built by those seeking a better life for themselves, their families, and generations to follow; and

Whereas, the State of New Jersey, home to Ellis Island, celebrates the diversity of our residents and takes pride in the contributions made to our great State by immigrants, past and present, who came to our shores ''yearning to breathe free''; and

Whereas, a brief has been filed by former Central Intelligence Agency and Department of State officials countering the President's national security arguments, claiming the ban ''could do long-term damage to our national security and foreign policy interests, endangering U.S. troops in the field and disrupting counterterrorism and national security partnerships. It will aid ISIL's propaganda effort and serve its recruitment message by feeding into the narrative that the United States is at war with Islam. It will hinder relationships with the very communities that law enforcement professionals need to address the threat''; and

Whereas, approximately 900 United States Department of State diplomats have signed a dissent memo opposing the President's ban as it ''stands in opposition to the core American and constitutional values that we, as federal employees, took an oath to uphold''; and

Whereas, the memo cautions that the ban ''will immediately sour relations'' with governments that are ''important allies and partners in the fight against terrorism, regionally and globally''; and

Whereas, in addition to the ban being ill-conceived and mean-spirited, the processes associated with the ban were mismanaged, including the reported failure to allow for legal review by the Department of Homeland Security; and

Whereas, the mismanagement extended to the implementation of the ban which resulted, in part, in individuals being detained in airports across the country and, despite an order to do so by a New York District Judge, the federal government has yet to produce a list of these individuals; now, therefore, be it

Resolved, By the General Assembly of the State of New Jersey:

1. This House condemns the Executive Order signed by President Trump suspending immigration for 90 days from seven Muslim-majority countries; suspending all refugee admissions into the United States for 120 days; and indefinitely barring all Syrian refugees from entering the United States.

2. This House condemns the firing of the Acting Attorney General for refusing to enforce the ban which she deemed unlawful.

3. This House extends its support to the states of Washington and Minnesota in their legal fight against the President's immigration ban.

4. This House urges the New Jersey Attorney General to join his fellow Attorneys General in their amicus brief supporting a federal district court's stay of the ban.

5. Copies of this resolution, as filed with the Secretary of State, shall be transmitted by the Clerk of the General Assembly to the President and Vice President of the United States, the Majority and Minority Leader of the United States Senate, the Speaker and Minority Leader of the United States House of Representatives, every member of Congress elected from New Jersey, and the New Jersey Attorney General.

POM–98. A resolution adopted by the Senate of the Commonwealth of Pennsylvania urging the United States Congress to reauthorize the Rohrabacher-Farr amendment to prevent the United States Department of Justice from spending funds to interfere with the implementation of state medical marijuana laws; to the Committee on the Judiciary.

SENATE RESOLUTION NO. 36

Whereas, The Rohrabacher-Farr amendment prevents the United States Department of Justice from spending funds to interfere with the implementation of state medical marijuana laws; and

Whereas, The Rohrabacher-Farr amendment does not change the status of marijuana with respect to Federal law; and

Whereas, The Rohrabacher-Farr amendment states, ''None of the funds made available in this Act to the Department of Justice may be used, with respect to any of the States of Alabama, Alaska, Arizona, California, Colorado, Connecticut, Delaware, Florida, Georgia, Hawaii, Illinois, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Oklahoma, Oregon, Rhode Island, South Carolina, Tennessee, Texas, Utah, Vermont, Virginia, Washington, and Wisconsin, or with respect to either the District of Columbia as Guam, to prevent any of them from implementing their own laws that authorize the use, distribution, possession, or cultivation of medical marijuana''; and

Whereas, On December 16, 2014, the Rohrabacher-Farr amendment was initially signed into Federal law as part of an omnibus spending bill; and

Whereas, On December 18, 2015, the Rohrabacher-Farr amendment was reauthorized as part of the fiscal year 2016 Federal omnibus appropriations bill; and

Whereas, In September 2016, the Rohrabacher-Farr amendment was reauthorized again as a part of a short-term spending bill; and

Whereas, The Rohrabacher-Farr amendment must be reauthorized each fiscal year in order to remain in effect; and

Whereas, The Rohrabacher-Farr amendment expires on April 28, 2017; therefore be it

Resolved, That the Senate of the Commonwealth of Pennsylvania urge the Congress of the United States to reauthorize the Rohrabacher-Farr amendment to prevent the United States Department of Justice from spending funds to interfere with the implementation of state medical marijuana laws; and be it further

Resolved, That a copy of this resolution be sent to the President of the United States, the presiding officers of each house of Congress and to each member of Congress from Pennsylvania.

POM–99. A joint resolution adopted by the Legislature of the State of New Mexico rescinding three previous applications to the United States Congress to call a convention to propose amendments to the United States Constitution, to the Committee on the Judiciary.

HOUSE JOINT RESOLUTION 10

Whereas, Article 5 of the United States constitution reads in part as follows: ''the Congress . . . on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States''; and

Whereas, in 1951, the legislature of New Mexico passed House Joint Resolution Number 12 to make an application to the United States congress to call a convention to propose specified amendments to the United States constitution; and

Whereas, in 1965, the legislature of New Mexico passed Senate Joint Resolution Number 2 to make an application to the United States congress to call a convention to propose a specified amendment to the United States constitution; and

Whereas, in 1976, the legislature of New Mexico passed Senate Joint Resolution 1 to make an application to the United States congress to call a convention to propose a specified amendment to the United States constitution: Now, therefore, be it

Resolved by the legislature of the State of New Mexico That House Joint Resolution Number 12, passed in the first session of the twentieth legislature of the state of New Mexico, Senate Joint Resolution Number 2, passed in the first session of the twenty-seventh legislature of the state of New Mexico, and Senate Joint Resolution 1, passed in the second session of the thirty-second legislature of the state of New Mexico, be rescinded; and be it further

Resolved, That copies of this resolution be transmitted, within thirty days of its passage, to the speaker of the United States house of representatives, the clerk of the United States house of representatives, the president of the United States senate, the secretary of the United States senate and the members of the New Mexico congressional delegation; and be it further

Resolved, That a request be hereby made that the official journals and record of the senate and the house of representatives of the United States congress include the resolution or a notice of its receipt.

POM–100. A joint resolution adopted by the Legislature of the State of New Mexico rescinding three previous applications to the United States Congress to call a convention to propose amendments to the United States Constitution; to the Committee on the Judiciary.

HOUSE JOINT RESOLUTION 10

Whereas, Article 5 of the United States constitution reads in part as follows: ''the Congress . . . on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States''; and

Whereas, in 1951, the legislature of New Mexico passed House Joint Resolution Number 12 to make an application to the United States congress to call a convention to propose specified amendments to the United States constitution; and

Whereas, in 1965, the legislature of New Mexico passed Senate Joint Resolution Number 2 to make an application to the United States congress to call a convention to propose a specified amendment to the United States constitution; and

Whereas, in 1976, the legislature of New Mexico passed Senate Joint Resolution 1 to make an application to the United States congress to call a convention to propose a specified amendment to the United States constitution; Now, therefore, be it

Resolved by the Legislature of the State of New Mexico that House Joint Resolution Number 12, passed in the first session of the twentieth legislature of the state of New Mexico, Senate Joint Resolution Number 2, passed in the first session of the twenty-seventh legislature of the state of New Mexico, and Senate Joint Resolution 1, passed in the second session of the thirty-second legislature of the state of New Mexico, be rescinded; and be it further

Resolved, That copies of this resolution be transmitted, within thirty days of its passage, to the speaker of the United States house of representatives, the clerk of the United States house of representatives, the president of the United States senate, the secretary of the United States senate and the members of the New Mexico congressional delegation; and be it further

Resolved, That a request be hereby made that the official journals and record of the senate and the house of representatives of the United States congress include the resolution or a notice of its receipt.

POM–101. A resolution adopted by the House of Representatives of the State of Louisiana memorializing the United States Congress to take such actions as are necessary to investigate the current condition of economic development in the State of Louisiana concerning the Revitalizing Auto Communities Environmental Response Trust's fulfillment of fiduciary duties regarding the former General Motors Shreveport plant and operations; to the Committee on the Judiciary.

A RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to investigate the current condition of economic development in the state of Louisiana concerning the Revitalizing Auto Communities Environmental Response Trust's (hereinafter ''RACER Trust'') fulfillment of fiduciary duties regarding the former General Motors Shreveport plant (hereinafter ''GM-Shreveport plant'') and operations.

Whereas, perpetual declining sales and employment loss led to the 2009 bankruptcy of the General Motors Corporation, and by 2012, a complete cessation of automobile manufacturing at the former GM-Shreveport plant, which for more than thirty years was a generator of jobs and economic opportunity in the state of Louisiana; and

Whereas, the bankruptcy of General Motors was not an ordinary business bankruptcy; rather, it was orderly and structured in a way to facilitate General Motors' ability to be absolved of certain environmental and tax liabilities; and

Whereas, this included a cash infusion from the federal government to the benefit of General Motors, and General Motors' consideration for the properties left behind to be leveraged in the public's general and equitable interests, with such interests defined and directed toward the replacement of lost jobs; and

Whereas, according to a Report to Congressional Committees issued by the United States Government Accountability Office, the Department of the Treasury (Treasury) ''provided unprecedented support to two of the nation's three largest auto manufacturers—General Motors and Chrysler—after deteriorating economic conditions resulted in a dramatic decline in auto sales and significant financial losses to these companies''; and

Whereas, ''through the Automotive Industry Financing Program (AIFP) under the Troubled Asset Relief Program (TARP), Treasury committed $62 billion to help GM and Chrysler continue operating while restructuring into more viable companies''; and

Whereas, the website of the RACER Trust explains that after the bankruptcy of General Motors, ''the RACER Trust was created in March 2011 by the U.S. Bankruptcy Court'' and equipped with ''nearly $500 million...received at the time of the Trust's establishment'' to ''clean up and position for redevelopment the properties and other facilities owned by the former General Motors Corporation''; and

Whereas, such properties and facilities to be included for clean up and revitalization necessarily include the former GM-Shreveport plant; and

Whereas, during February 2013, the RACER Trust and Elio Motors entered into a Purchase and Sale Agreement whereby Elio Motors was expected to acquire from the RACER Trust all of the property, both movable and immovable property, relative to the former GM-Shreveport plant; however, Elio Motors purchased only the movable property and as such, entered into a Security Agreement with the RACER Trust in the amount of twenty-three million dollars to acquire the movable property; and

Whereas, circumstances changed regarding the sale of all of the former GM-Shreveport plant to Elio Motors; instead, the immovable property of the plant was purchased by the Caddo Parish Industrial Development Board; and

Whereas, at the request of the Caddo Parish Industrial Development Board, a parent company known as Industrial Realty Group first purchased the immovable property of the former GM-Shreveport plant and immediately resold this same property to the Caddo Parish Industrial Development Board; and

Whereas, the Caddo Parish Industrial Development Board then leased the immovable property back to Industrial Realty Group; and

Whereas, as the lessee and property manager of the former GM-Shreveport plant, Industrial Realty Group next subleased a portion of the plant to Elio Motors; and

Whereas, Elio Motors assumed the plant as a sublessee during the latter part of 2013 and was expected to manufacture automobiles, stimulate economic growth, and create approximately one thousand five hundred jobs by the end of 2015; and

Whereas, since 2013 and currently, Elio Motors is not engaged in automobile manufacturing at the former GM-Shreveport plant, and as a result, related economic development and stimulated growth in this state have not materialized as projected and desired; and

Whereas, with the present and future state of the former GM-Shreveport plant subject to the direction and actions of Industrial Realty Group and Elio Motors, the House Committee on Commerce was interested to hear the testimony of certain stakeholders to identify and expound upon the circumstances, challenges, and barriers surrounding automobile manufacturing and the anticipated accompanying job growth; and

Whereas, pursuant to House Resolution No. 37 of the 2016 Second Extraordinary Session, the House Committee on Commerce met in Shreveport, Louisiana, on October 26, 2016, to do all of the following:

(1) Study the state of the automotive manufacturing industry in the state of Louisiana since the onset of the most recent worldwide economic turndown that began in 2008.

(2) Investigate and report on the activities of the RACER Trust in the state of Louisiana.

(3) Tour and assess the current condition and circumstances of any Louisiana based properties either currently or previously under the control and supervision of the RACER Trust in the state of Louisiana.

(4) Take testimony from local, regional, and state officials and economic development stakeholders regarding barriers and obstacles impacting the ability to effectively market facilities either currently or previously under the control of the RACER Trust; and

Whereas, though representatives were present to testify, the representatives were not parties to nor directly privy to the process of negotiations between the RACER Trust, Industrial Realty Group, the Department of Economic Development, the Caddo Parish Commission, and the Caddo Parish Industrial Development Board; and

Whereas, the RACER Trust's commitment of the former GM-Shreveport plant to Industrial Realty Group and Elio Motors is a matter of vital concern regarding the economic development in this state, not solely due to the lack of automobile manufacturing on behalf of Elio Motors, but because prior to this divestment, in a letter dated November 14, 2013, the Department of Economic Development and the North Louisiana Economic Partnership expressed concern to the RACER Trust regarding the transaction; and

Whereas, despite the value of the assets encompassed within the former GM-Shreveport plant, the RACER Trust is believed to have provided the Caddo Parish Commission with only the following two options in consideration for the eventual fate of the former GM-Shreveport plant:

(1) Committal of the former GM-Shreveport plant to Industrial Realty Group.

(2) Complete demolition of the plant; and

Whereas, it is a matter of state interest and concern that the prospect of the former GM-Shreveport plant's demise may have actually been a false threat used as a catalyst to urge the Caddo Parish Commission and other local and state economic development officials to support and commit the former GM-Shreveport plant into the contractual care of Industrial Realty Group and Elio Motors; and

Whereas, the assets of the former GM-Shreveport plant possess great potential to be a source of real opportunity for economic growth and job creation in Louisiana, but although publicly owned, no provisions or mechanisms for federal or local oversight are in place to rectify this agreement made in furtherance of the state's economic development that has not materialized to provide an economic benefit to this state; and

Whereas, in light of the dire circumstances surrounding the former GM-Shreveport plant, the state is compelled, and requests the United States Congress in its constitutional power, to investigate the process of negotiations which resulted in Industrial Realty Group's and Elio Motors' attainment of the former GM-Shreveport plant, per the recommendation of the federally created RACER Trust: Now, therefore, be it

Resolved, That the House of Representatives of the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary to investigate the current condition of economic development in the state of Louisiana, relative to the RACER Trust's fulfillment of fiduciary duties concerning the former GM-Shreveport plant and operations; and be it further

Resolved, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM–102. A joint resolution adopted by the General Assembly of the State of Maryland rescinding any and all prior applications by the General Assembly to the United States Congress to call a convention to propose amendments to the United States Constitution, pursuant to the terms of Article V; to the Committee on the Judiciary.

JOINT RESOLUTION NO. 2

Whereas, The Constitution of the United States has been, since its creation in 1787, the bulwark of American liberty and strength. It was the first written national Charter to clearly set forth the respective duties and powers of the Chief Executive, the Legislature, and the Judiciary, and is the basis of America's checks and balances system of government, assuring the rule of the majority while protecting the rights of the minority. It provides for the peaceful resolution of our basic political disputes and allows for an orderly succession of political leaders without bloodshed or revolution; and

Whereas, Since its ratification, the Constitution has been amended 27 times, each time by the proposal of an amendment by the Congress, often on initial petition by the states and always with subsequent ratification by the requisite number of state legislatures. Despite wrenching debate, political turmoil, and many grave political and economic problems—including the Great Depression—our nation has not had another Constitutional Convention since 1787; and

Whereas, The first Convention was called to make revisions to the Articles of Confederation and decided instead to discard that governmental system altogether and create an entirely new and extremely different one. In recent years, we have heard such diverse proposals as the elimination of portions of the Bill of Rights or granting the President the power to dissolve Congress; and

Whereas, Although historical records maintained by the State and the Library of Congress are incomplete and in some instances unclear as to the final disposition of legislation proposed by the General Assembly to initiate a call to Congress for a Constitutional Convention, it is reported that the Maryland General Assembly has passed several such calls for a Constitutional Convention since the 1930s These calls include: (1) House Resolution (1939) (unconfirmed) calling for limitations on the federal taxing power; (2) House Joint Resolution 40 (1964) calling for standards concerning the size and boundaries of congressional districts; (3) Senate Joint Resolution 1 (1965) calling for legislative autonomy concerning the apportionment of State legislative bodies; (4) Senate Resolution 47 (1973) (unconfirmed), a memorial from the Senate of Maryland calling for the allowance of school prayer in public schools; and (5) Senate Joint Resolution 4 (1975) calling for a balanced federal budget. It is generally believed that these calls never expire, and current generations are now bound by decisions made in a different time and culture. The need to advance these various policy reforms should be debated anew, and not bind future generations without any consideration; now, therefore, be it

Resolved, By the General Assembly of Maryland, That this body does hereby rescind, repeal, cancel, void, nullify, and supersede any and all prior applications by the General Assembly to the Congress of the United States of America to call a convention to propose amendments to the Constitution of the United States of America, whether or not the calls are confirmed by the historical records maintained by the State or the Library of Congress, pursuant to the terms of Article V thereof, regardless of when and regardless of whether such applications were for a more limited convention to propose one or more amendments regarding one or more specific subjects and purposes or for a general convention to propose an unlimited number of amendments upon an unlimited number of subjects; and be it further

Resolved, That the General Assembly urges the legislatures of each and every state which has applied to Congress to call a convention for either a general or limited Constitutional Convention to repeal and withdraw such applications; and be it further

Resolved, That a copy of this Resolution be forwarded by the Department of Legislative Services to the Honorable Lawrence J. Hogan, Jr., Governor of Maryland; the Honorable Thomas V. Mike Miller, Jr., President of the Senate of Maryland; and the Honorable Michael E. Busch, Speaker of the House of Delegates; and be it further

Resolved, That certified copies of this Joint Resolution be sent by the Secretary of State to:

(1) the Honorable Michael R. Pence, Vice President of the United States, President of the United States Senate, Suite S–212, United States Capitol Building, Washington, D.C. 20510; the Honorable Orrin Hatch, President Pro Tempore of the United States Senate, 104 Hart Office Building, Washington, D.C. 20510; and the Honorable Paul D. Ryan, Speaker of the United States House of Representatives, 1233 Longworth House Office Building, Washington, D.C. 20515; and

(2) the Maryland Congressional Delegation: Senators Benjamin L. Cardin and Christopher Van Hollen, Jr., Senate Office Building, Washington, D.C. 20510; and Representatives Andrew P. Harris, C. A. Dutch Ruppersberger III, John P. Sarbanes, Anthony G. Brown, Steny Hamilton Hoyer, John Delaney, Elijah E. Cummings, and Jamie Raskin, House Office Building, Washington, D.C. 20515; and

(3) the Honorable David S. Ferriero, Archivist of the United States, National Archives and Records Administration, 709 Pennsylvania Avenue, N.W., Washington, D.C. 20408; and

(4) the Honorable Julie E. Adams, Secretary of the United States Senate, United States Capitol Building, Suite S–312, Washington, D.C. 20510; the Honorable Elizabeth MacDonough, Parliamentarian of the United States Senate, United States Capitol Building, Suite 5–133, Washington, D.C. 20510; the Honorable Karen L. Haas, Clerk of the United States, House of Representatives, Suite H–154, United States Capitol Building, Washington, D.C. 20515; and the Honorable Thomas J. Wickham, Jr., Parliamentarian of the United States, House of Representatives, Room H–209, United States Capitol Building, Washington, D.C. 20515, requesting that they publish this Joint Resolution in the Congressional Record and list this application in the official tally of state legislative applications that repeal and withdraw any prior application by a state legislature that calls for the Congress of the United States of America to call a convention to propose amendments to the Constitution of the United States, pursuant to the terms of Article V thereof, regardless of when and regardless of whether such applications were for a more limited convention to propose one or more amendments regarding one or more specific subjects and purposes or for a general convention to propose an unlimited number of amendments upon an unlimited number of subjects.

POM–103. A joint resolution adopted by the General Assembly of the State of Maryland rescinding any and all prior applications by the General Assembly to the United States Congress to call a convention to propose amendments to the United States Constitution, pursuant to the terms of Article V, to the Committee on the Judiciary.

JOINT RESOLUTION NO. 0003

Whereas, The Constitution of the United States has been, since its creation in 1787, the bulwark of American liberty and strength. It was the first written national Charter to clearly set forth the respective duties and powers of the Chief Executive, the Legislature, and the Judiciary, and is the basis of America's checks and balances system of government, assuring the rule of the majority while protecting the rights of the minority. It provides for the peaceful resolution of our basic political disputes and allows for an orderly succession of political leaders without bloodshed or revolution; and

Whereas, Since its ratification, the Constitution has been amended 27 times, each time by the proposal of an amendment by the Congress, often on initial petition by the states and always with subsequent ratification by the requisite number of state legislatures. Despite wrenching debate, political turmoil, and many grave political and economic problems—including the Great Depression—our nation has not had another Constitutional Convention since 1787; and

Whereas, The first Convention was called to make revisions to the Articles of Confederation and decided instead to discard that governmental system altogether and create an entirely new and extremely different one. In recent years, we have heard such diverse proposals as the elimination of portions of the Bill of Rights or granting the President the power to dissolve Congress; and

Whereas, Although historical records maintained by the State and by the Library of Congress are incomplete and in some instances unclear as to the final disposition of legislation proposed by the General Assembly to intiate a call to Congress for a Constitutional Convention, it is reported that the Maryland General Assembly has passed several such calls for a Constitutional Convention since the 1930s. These calls include: (1) House Resolution (1939) (unconfirmed) calling for limitation on the federal taxing power; (2) House Joint Resolution 40 (1964) calling for standards concerning the size and boundaries of congressional districts; (3) Senate Joint Resolution 1 (1965) calling for legislative autonomy concerning the apportionment of State legislative bodies; (4) Senate Resolution 47 (1973) (unconfirmed), a memorial from the Senate of Maryland calling for the allowance of school prayer in public schools; and (5) Senate Joint Resolution 4 (1975) calling for a balanced federal budget. It is generally believed that these calls never expire, and current generations are now bound by decisions made in a different time and culture. The need to advance these various policy reforms should be debated anew, and not bind future generations without any consideration; now, therefore, be it

Resolved by the General Assembly of Maryland, That this body does hereby rescind, repeal, cancel, void, nullify, and supersede any and all prior applications by the General Assembly to the Congress of the United States of America to call a convention to propose amendments to the Constitution of the United States of America, whether or not the calls are confirmed by the historical records maintained by the State or the Library of Congress, pursuant to the terms of Article V thereof, regardless of when and regardless of whether such applications were for a more limited convention to propose one or more amendments regarding one or more specific subjects and purposes or for a general convention to propose an unlimited number of amendments upon an unlimited number of subjects; and be it further

Resolved, That the General Assembly urges the legislatures of each and every state which has applied to Congress to call a convention for either a general or limited Constitutional Convention to repeal and withdraw such applications; and be it further

Resolved, That a copy of this Resolution be forwarded by the Department of Legislative Services to the Honorable Lawrence J. Hogan, Jr., Governor of Maryland; the Honorable Thomas V. Mike Miller, Jr., President of the Senate of Maryland; and the Honorable Michael E. Busch, Speaker of the House of Delegates; and be it further

Resolved, That certified copies of this Joint Resolution be sent by the Secretary of State to:

(1) the Honorable Michael R. Pence, Vice President of the United States, President of the United States Senate, Suite S–212, United States Capitol Building, Washington, D.C. 20510; the Honorable Orrin Hatch, President Pro Tempore of the United States Senate, 104 Hart Office Building, Washington, D.C. 20510; and the Honorable Paul D. Ryan, Speaker of the United States House of Representatives, 1233 Longworth House Office Building, Washington, D.C. 20515; and

(2) the Maryland Congressional Delegation: Senators Benjamin L. Cardin and Christopher Van Hollen, Jr., Senate Office Building, Washington, D.C. 20510; and Representatives Andrew P. Harris, C.A. Dutch Ruppersberger III, John P. Sarbanes, Anthony G. Brown, Steny Hamilton Hoyer, John Delaney, Elijah E. Cummings, and Jamie Raskin, House Office Building, Washington, D.C. 20515; and

(3) the Honorable David S. Ferriero, Archivist of the United States, National Archives and Records Administration, 709 Pennsylvania Avenue, N.W., Washington, D.C. 20408; and

(4) the Honorable Julie E. Adams, Secretary of the United States Senate, United States Capitol Building, Suite S–312, Washington, D.C. 20510; the Honorable Elizabeth MacDonough, Parliamentarian of the United States Senate, United States Capitol Building, Suite S–133, Washington, D.C. 20510; the Honorable Karen L. Haas, Clerk of the United States House of Representatives, Suite H–154, United States Capitol Building, Washington, D.C. 20515; and the Honrable Thomas J. Wickham, Jr., Parliamentarian of the United States House of Representatives, Room H–209, United States Capitol Building, Washington, D.C. 20515, requesting that they publish this Joint Resolution in the Congressional Record and list this application in the offical tally of state legislative applications that repeal and withdraw any prior application by a state legislature that calls for the Congress of the United States of America to call a convention to propose amendments to the Constitution of the United States, pursuant to the terms of Article V thereof, regardless of when and regardless of whether such applications were for a more limited convention to propose one or more amendments regarding one or more specific subjects and purposes or for a general convention to propose an unlimited number of amendments upon an unlimited number of subjects.

POM–104. A resolution adopted by the General Assembly of the State of New Jersey opposing action by the President of the United States to rescind the Deferred Action for Childhood Arrivals (DACA) policy, to the Committee on the Judiciary.

ASSEMBLY RESOLUTION NO. 210

Whereas, New Jersey has long been a welcoming home for immigrants from around the world and appreciates the valuable contributions immigrants make to our State and our nation; and

Whereas, New Jersey's immigrant population includes undocumented immigrants who have come to the United States in pursuit of the American dream and to build a better life for themselves and their families, and

Whereas, Many of these families include children who were brought to New Jersey at a very young age and were raised and educated in the State, and

Whereas, In 2013, the New Jersey Legislature passed Senate Bill No. 2479, informally referred to as the New Jersey Dream Act, to ensure that these children have access to affordable higher education by allowing them to qualify for in-State tuition rates at public institutions of higher education, and

Whereas, The New Jersey Dream Act bill, in its original form, also permitted these students to apply for State student financial aid programs; and

Whereas, Governor Chris Christie conditionally vetoed the New Jersey Dream Act based on his objections to the section of the bill that allowed undocumented students to participate in State student financial aid programs, and asked the Legislature to remove that provision; and

Whereas, The Legislature, in order to provide tuition equality for these students, concurred with the terms of Governor Christie's conditional veto, and

Whereas, Without eligibility for State student financial aid programs, many of these students need to work to afford the cost of a college education, and

Whereas, As a result of Governor Christie's conditional veto and in order to continue their pursuit of higher education, many of these students registered with the federal Deferred Action for Childhood Arrivals (DACA) program, a policy implemented under President Barack Obama's Administration. Under DACA, the federal government agreed to exercise its prosecutorial discretion to defer deportation of undocumented immigrants brought to the United States as children and allowed these students to qualify for employment authorization in the United States, and

Whereas, President Donald Trump was sworn into office on January 20, 2017 and is expected to rescind DACA, exposing these students to the threat of immediate deportation, and

Whereas, Such action by President Trump would punish young men and women who followed the proper course of action in registering for DACA so that they could pursue their higher education, and

Whereas, These students have spent their formative years in the United States and know only America as their home, pay taxes and contribute to our economy as hard-working employees, and add rich diversity to our schools through class participation and campus programs; and

Whereas, Rescinding the DACA policy would deprive the State of the many contributions of these students: Now, therefore, be it

Resolved, By the General Assembly of the State of New Jersey:

1. This House opposes any action by President Donald Trump to rescind the Deferred Action for Childhood Arrivals (DACA) policy.

2. This House further urges Governor Chris Christie, given that his conditional veto of the New Jersey Dream Act bill led many of these students to register for DACA, to use all power within his means to urge President Trump to leave DACA intact so that these New Jersey students are not subject to immediate deportation to a country they have never known and so that these students may continue to work and pursue their higher education

3. Copies of this resolution, as filed with the Secretary of State, shall be transmitted by the Clerk of the General Assembly to the President and Vice-President of the United States, the Governor of this State, the Majority and Minority Leaders of the United States Senate, the Speaker and Minority

Leader of the United States House of Representatives, and every member of Congress elected from this State.

POM–105. A resolution adopted by the Fish and Game Commission of the State of California supporting the existing four California national marine sanctuaries, their boundaries, and legal protections; strongly and unequivocally supporting the current federal prohibition on new oil or gas drilling in federal waters offshore California; opposing attempts to modify the prohibition, and considering any appropriate actions to maintain the prohibition; to the Committee on Energy and Natural Resources.

POM–106. A resolution adopted by the City Council of the City of Lakeport, California urging the President of the United States, the Secretary of the Interior, and the Secretary of Agriculture to protect the Berryessa Snow Mountain National Monument and the economic, historical, cultural, and ecological values which it provides, and to honor and protect the integrity of all National Monuments as they have been designated by Presidents of the United States since 1906; to the Committee on Energy and Natural Resources.

POM–107. A resolution adopted by the Lauderdale Lakes City Commission, Lauderdale Lakes, Florida recommending that the Affordable Care Act be maintained, particularly those provisions regarding pre-existing conditions and coverage for children up to the age of 26 years, for at least a work-in-period of ten (10) years, in order to give the citizens and other covered persons the opportunity to make the necessary adjustments consequent of reduced coverage; to the Committee on Finance.

POM–108. A resolution adopted by the Mayor and City Commission of the City of Miami Beach, Florida opposing the President of the United States's withdrawal of the United States from the Paris Climate Agreement; honoring and upholding the City's commitment to the policies, goals, and standards set forth in the Paris Climate Agreement; reaffirming the City's role as a global urban leader in efforts to reduce greenhouse gas emissions, mitigate the impacts of human activities that contribute to climate change, and enhance resiliency; and respectfully urging Governor Rick Scott and the Florida Legislature to join the growing list of states seeking to meet or exceed the goals of the Paris Climate Agreement; to the Committee on Foreign Relations.

POM–109. A resolution adopted by the Lauderdale Lakes City Commission, Lauderdale Lakes, Florida expressing support for the Paris Climate Accord and expressing an intent to symbolically join with other local governments to adopt, honor and uphold the commitments to the goals enshrined in the Paris Climate Accord; to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 770. A bill to require the Director of the National Institute of Standards and Technology to disseminate resources to help reduce small business cybersecurity risks, and for other purposes (Rept. No. 115–153).

By Mr. GRASSLEY, from the Committee on the Judiciary, with amendments:

S. 705. A bill to amend the National Child Protection Act of 1993 to establish a national criminal history background check system and criminal history review program for certain individuals who, related to their employment, have access to children, the elderly, or individuals with disabilities, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. MURPHY (for himself, Mr. BLUMENTHAL, Mr. BROWN, Mr. DURBIN, Mr. FRANKEN, Ms. HARRIS, and Ms. WARREN):

S. 1784. A bill to amend the Higher Education Act of 1965 to improve the determination of cohort default rates and provide for enhanced civil penalties, to ensure personal liability of owners, officers, and executives of institutions of higher education, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MARKEY:

S. 1785. A bill to prohibit the implementation of a policy change to permit small, nonlocking knives on passenger aircraft; to the Committee on Commerce, Science, and Transportation.

By Mr. SCHATZ (for himself, Ms. WARREN, Mr. MERKLEY, Mrs. MCCASKILL, Mr. BLUMENTHAL, and Mr. SANDERS):

S. 1786. A bill to amend the Fair Credit Reporting Act to enhance the accuracy of credit reporting and provide greater rights to consumers who dispute errors in their credit reports, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. MURKOWSKI (for herself and Mr. KING):

S. 1787. A bill to reauthorize the National Geologic Mapping Act of 1992; to the Committee on Energy and Natural Resources.

By Ms. BALDWIN (for herself and Mrs. GILLIBRAND):

S. 1788. A bill to encourage companies to expand employee ownership, and for other purposes; to the Committee on Finance.

By Mr. ROUNDS (for himself, Ms. WARREN, and Mr. WARNER):

S. 1789. A bill to amend title 10, United States Code, to require an annual report on participation in the Transition Assistance Program for members of the Armed Forces, and for other purposes; to the Committee on Veterans' Affairs.

ADDITIONAL COSPONSORS

S. 102

At the request of Ms. CANTWELL, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 102, a bill to direct the Federal Communications Commission to commence proceedings related to the resiliency of critical communications networks during times of emergency, and for other purposes.

S. 194

At the request of Mr. WHITEHOUSE, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 194, a bill to amend the Public Health Service Act to establish a public health insurance option, and for other purposes.

S. 236

At the request of Mr. WYDEN, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 236, a bill to amend the Internal Revenue Code of 1986 to reform taxation of alcoholic beverages.

S. 307

At the request of Mrs. ERNST, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 307, a bill to enhance the database of emergency response capabilities of the Department of Defense.

S. 313

At the request of Mr. BOOZMAN, the name of the Senator from Georgia (Mr. PERDUE) was added as a cosponsor of S. 313, a bill to clarify that volunteers at a children's consignment event are not employees under the Fair Labor Standards Act of 1938.

S. 428

At the request of Mr. BENNET, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 428, a bill to amend titles XIX and XXI of the Social Security Act to authorize States to provide coordinated care to children with complex medical conditions through enhanced pediatric health homes, and for other purposes.

S. 479

At the request of Mr. BROWN, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 479, a bill to amend title XVIII of the Social Security Act to waive coinsurance under Medicare for colorectal cancer screening tests, regardless of whether therapeutic intervention is required during the screening.

S. 568

At the request of Mr. BROWN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 568, a bill to amend title XVIII of the Social Security Act to count a period of receipt of outpatient observation services in a hospital toward satisfying the 3-day inpatient hospital requirement for coverage of skilled nursing facility services under Medicare.

S. 609

At the request of Mr. BLUMENTHAL, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 609, a bill to amend the Department of Veterans Affairs Health Care Programs Enhancement Act of 2001 and title 38, United States Code, to require the provision of chiropractic care and services to veterans at all Department of Veterans Affairs medical centers and to expand access to such care and services, and for other purposes.

S. 705

At the request of Mr. HATCH, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 705, a bill to amend the National Child Protection Act of 1993 to establish a national criminal history background check system and criminal history review program for certain individuals who, related to their employment, have access to children, the elderly, or individuals with disabilities, and for other purposes.

S. 967

At the request of Ms. STABENOW, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. 967, a bill to amend title XVIII of the Social Security Act to increase access to ambulance services under the Medicare program and to reform payments for such services under such program, and for other purposes.

S. 1002

At the request of Mr. MORAN, the names of the Senator from Louisiana (Mr. KENNEDY), the Senator from Maine (Mr. KING), and the Senator from Arizona (Mr. FLAKE) were added as cosponsors of S. 1002, a bill to enhance the ability of community financial institutions to foster economic growth and serve their communities, boost small businesses, increase individual savings, and for other purposes.

S. 1050

At the request of Ms. DUCKWORTH, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1050, a bill to award a Congressional Gold Medal, collectively, to the Chinese-American Veterans of World War II, in recognition of their dedicated service during World War II.

S. 1127

At the request of Mr. PAUL, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 1127, a bill to amend title 18, United States Code, to prevent unjust and irrational criminal punishments.

S. 1158

At the request of Mr. CARDIN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1158, a bill to help prevent acts of genocide and other atrocity crimes, which threaten national and international security, by enhancing United States Government capacities to prevent, mitigate, and respond to such crises.

S. 1465

At the request of Mr. CASSIDY, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 1465, a bill to terminate the prohibitions on the exportation and importation of natural gas, and for other purposes.

S. 1500

At the request of Mr. WARNER, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 1500, a bill to amend the Federal Deposit Insurance Act to ensure that the reciprocal deposits of an insured depository institution are not considered to be funds obtained by or through a deposit broker, and for other purposes.

S. 1568

At the request of Mr. MARKEY, the names of the Senator from West Virginia (Mr. MANCHIN), the Senator from New Hampshire (Mrs. SHAHEEN), and the Senator from Maine (Mr. KING) were added as cosponsors of S. 1568, a bill to require the Secretary of the Treasury to mint coins in commemoration of President John F. Kennedy.

S. 1589

At the request of Mr. CARDIN, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 1589, a bill to amend the Internal Revenue Code of 1986 and the Small Business Act to expand the availability of employee stock ownership plans in S corporations, and for other purposes.

S. 1754

At the request of Ms. COLLINS, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1754, a bill to reauthorize section 340H of the Public Health Service Act to continue to encourage the expansion, maintenance, and establishment of approved graduate medical residency programs at qualified teaching health centers, and for other purposes.

S. 1766

At the request of Mr. CORNYN, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 1766, a bill to reauthorize the SAFER Act of 2013, and for other purposes.

S. 1767

At the request of Mr. LEAHY, the names of the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Connecticut (Mr. MURPHY), and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 1767, a bill to reauthorize the farm to school program, and for other purposes.

S.J. RES. 49

At the request of Mr. WARNER, the names of the Senator from Iowa (Mr. GRASSLEY) and the Senator from Alaska (Mr. SULLIVAN) were added as cosponsors of S.J. Res. 49, a joint resolution condemning the violence and domestic terrorist attack that took place during events between August 11 and August 12, 2017, in Charlottesville, Virginia, recognizing the first responders who lost their lives while monitoring the events, offering deepest condolences to the families and friends of those individuals who were killed and deepest sympathies and support to those individuals who were injured by the violence, expressing support for the Charlottesville community, rejecting White nationalists, White supremacists, the Ku Klux Klan, neo-Nazis, and other hate groups, and urging the President and the President's Cabinet to use all available resources to address the threats posed by those groups.

S. CON. RES. 12

At the request of Mr. GRASSLEY, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. Con. Res. 12, a concurrent resolution expressing the sense of Congress that those who served in the bays, harbors, and territorial seas of the Republic of Vietnam during the period beginning on January 9, 1962, and ending on May 7, 1975, should be presumed to have served in the Republic of Vietnam for all purposes under the Agent Orange Act of 1991.

S. RES. 61

At the request of Mr. PETERS, his name was added as a cosponsor of S. Res. 61, a resolution calling on the Department of Defense, other elements of the Federal Government, and foreign governments to intensify efforts to investigate, recover, and identify all missing and unaccounted-for personnel of the United States.

AMENDMENT NO. 269

At the request of Mr. REED, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of amendment No. 269 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 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. 329

At the request of Ms. BALDWIN, the names of the Senator from Ohio (Mr. BROWN) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of amendment No. 329 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 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. 410

At the request of Mr. BOOKER, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of amendment No. 410 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 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. 422

At the request of Mrs. MCCASKILL, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of amendment No. 422 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 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. 448

At the request of Mr. TESTER, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of amendment No. 448 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 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. 526

At the request of Mr. WHITEHOUSE, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of amendment No. 526 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 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. 591

At the request of Ms. HEITKAMP, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of amendment No. 591 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 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. 592

At the request of Mr. DURBIN, the names of the Senator from Hawaii (Mr. SCHATZ), the Senator from New York (Mr. SCHUMER), the Senator from Vermont (Mr. SANDERS) and the Senator from New Jersey (Mr. BOOKER) were added as cosponsors of amendment No. 592 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 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. 605

At the request of Mr. MARKEY, the name of the Senator from Massachusetts (Ms. WARREN) was withdrawn as a cosponsor of amendment No. 605 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 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. 607

At the request of Mr. MERKLEY, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of amendment No. 607 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 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. 608

At the request of Mr. MARKEY, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of amendment No. 608 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 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. 750

At the request of Mr. WHITEHOUSE, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of amendment No. 750 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 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. 756

At the request of Mr. VAN HOLLEN, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of amendment No. 756 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 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. 765

At the request of Mr. VAN HOLLEN, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of amendment No. 765 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 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. 766

At the request of Mr. VAN HOLLEN, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of amendment No. 766 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 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. 803

At the request of Mr. CARDIN, the names of the Senator from Colorado (Mr. BENNET), the Senator from Pennsylvania (Mr. CASEY), the Senator from Delaware (Mr. CARPER), the Senator from Delaware (Mr. COONS), the Senator from Illinois (Mr. DURBIN), the Senator from New Mexico (Mr. HEINRICH), the Senator from Michigan (Ms. STABENOW), the Senator from Maryland (Mr. VAN HOLLEN) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of amendment No. 803 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 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. 805

At the request of Mr. CORNYN, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of amendment No. 805 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 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. 811

At the request of Mr. CARDIN, the names of the Senator from New Mexico (Mr. UDALL), the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of amendment No. 811 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 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. 838

At the request of Mrs. MURRAY, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of amendment No. 838 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 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.

AMENDMENTS SUBMITTED AND PROPOSED

SA 855. Ms. WARREN (for herself and Mr. LEAHY) submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 856. Mr. BROWN (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 857. Mr. DONNELLY submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 858. Mr. DONNELLY submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 859. Mr. BOOKER (for himself and Mrs. FISCHER) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 860. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 861. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him

to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 862. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 863. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 864. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 865. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 866. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 867. Ms. WARREN (for herself and Mr. TILLIS) submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 868. Mr. VAN HOLLEN submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 869. Mrs. GILLIBRAND (for herself and Ms. COLLINS) submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 870. Mr. COTTON (for himself and Mr. GRAHAM) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 871. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 872. Mr. PAUL (for himself, Mr. SCHATZ, and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 873. Mrs. ERNST (for herself, Mrs. GILLIBRAND, and Ms. HIRONO) submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 874. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 875. Mr. MCCAIN (for himself and Mr. REED) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 876. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 877. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 878. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 879. Mr. JOHNSON (for himself and Mr. FLAKE) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 880. Mr. TILLIS (for himself and Mr. NELSON) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 881. Mr. WICKER submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 882. Mr. YOUNG submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 883. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 884. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 885. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 886. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 887. Ms. CANTWELL (for herself and Ms. WARREN) submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 888. Ms. CANTWELL (for herself and Mrs. MURRAY) submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 889. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 890. Mr. BROWN (for himself, Mr. PORTMAN, and Mr. CRAPO) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 891. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 892. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 893. Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 894. Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 895. Mr. HEINRICH submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 896. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 897. Mr. COTTON submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 898. Mr. CARPER (for himself and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 899. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 900. Mr. CARDIN (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 901. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 902. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 903. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 904. Ms. BALDWIN (for herself and Mr. MORAN) submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 905. Ms. HEITKAMP submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 906. Mr. INHOFE (for himself, Mr. CORNYN, Mr. ROUNDS, Mr. ISAKSON, Mr. CASSIDY, Mr. STRANGE, Mr. ROBERTS, Mr. WICKER, and Mr. ALEXANDER) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 907. Mr. ROUNDS submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 908. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 909. Mr. DURBIN (for himself, Mr. MURPHY, Ms. WARREN, Mr. CARPER, and Mr. BROWN) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 910. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 911. Mr. CARDIN (for himself, Mr. BENNET, Mr. MERKLEY, Mr. BLUMENTHAL, Ms. WARREN, Mr. VAN HOLLEN, Mrs. GILLIBRAND, Ms. BALDWIN, Mr. HEINRICH, Mr. DURBIN, Mr. CASEY, and Mr. LEAHY) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 912. Mr. BOOKER (for himself and Mr. BENNET) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 913. Mr. VAN HOLLEN (for himself and Mr. PAUL) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 914. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 915. Mr. KAINE submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 916. Mr. MCCAIN (for Mr. RUBIO) submitted an amendment intended to be proposed by Mr. MCCAIN to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 917. Mr. MCCAIN (for Mr. RUBIO) submitted an amendment intended to be proposed by Mr. MCCAIN to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 918. Mr. MCCAIN (for Mr. RUBIO) submitted an amendment intended to be proposed by Mr. MCCAIN to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 919. Mr. MCCAIN (for Mr. RUBIO) submitted an amendment intended to be proposed by Mr. MCCAIN to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 920. Mr. MCCAIN (for Mr. RUBIO) submitted an amendment intended to be proposed by Mr. MCCAIN to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 921. Mr. MCCAIN (for Mr. RUBIO) submitted an amendment intended to be proposed by Mr. MCCAIN to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 922. Mr. MCCAIN (for Mr. RUBIO) submitted an amendment intended to be proposed by Mr. MCCAIN to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 923. Mr. MCCAIN (for Mr. RUBIO) submitted an amendment intended to be proposed by Mr. MCCAIN to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 924. Mr. MCCAIN (for Mr. RUBIO) submitted an amendment intended to be proposed by Mr. MCCAIN to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 925. Mr. MCCAIN (for Mr. RUBIO) submitted an amendment intended to be proposed by Mr. MCCAIN to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 926. Mr. MCCAIN (for Mr. RUBIO) submitted an amendment intended to be proposed by Mr. MCCAIN to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 927. Mr. MCCAIN (for Mr. RUBIO) submitted an amendment intended to be proposed by Mr. MCCAIN to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 928. Mr. MCCAIN (for Mr. RUBIO) submitted an amendment intended to be proposed by Mr. MCCAIN to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 929. Mr. MCCAIN (for Mr. RUBIO) submitted an amendment intended to be proposed by Mr. MCCAIN to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 930. Mr. MCCAIN (for Mr. RUBIO) submitted an amendment intended to be proposed by Mr. MCCAIN to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 931. Mrs. ERNST submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 932. Ms. KLOBUCHAR (for herself and Mr. TILLIS) submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 933. Mr. MCCAIN (for himself and Mr. REED) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 934. Mr. WICKER submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 935. Mr. MCCONNELL (for Ms. WARREN (for herself and Mr. HELLER)) proposed an amendment to the bill S. 327, to direct the Securities and Exchange Commission to provide a safe harbor related to certain investment fund research reports, and for other purposes.

SA 936. Mr. MCCONNELL (for Mr. CORNYN) proposed an amendment to the bill S. 1311, to provide assistance in abolishing human trafficking in the United States.

SA 937. Mr. MCCONNELL (for Mr. GRASSLEY) proposed an amendment to the bill S. 1312, to prioritize the fight against human trafficking in the United States.

SA 938. Mrs. ERNST (for herself and Mrs. MCCASKILL) submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 939. Mr. REED (for himself, Mr. MCCAIN, Mr. CARDIN, Mr. BROWN, Mr. WHITEHOUSE, and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 855. Ms. WARREN (for herself and Mr. LEAHY) submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 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 1070 and insert the following:

SEC. _____. REPORTS ON CIVILIAN CASUALTIES IN CONNECTION WITH UNITED STATES MILITARY OPERATIONS.

(a) BIANNUAL REPORTS.—

(1) IN GENERAL.—Not later than April 1, 2018, and every six months thereafter, the Secretary of Defense shall submit to the congressional defense committees a report on civilian casualties caused as a result of United States military operations during the preceding six months.

(2) ELEMENTS.—Each report under paragraph (1) shall set forth the following:

(A) A list of all the United States military operations during the six month covered by such report that were confirmed to have resulted in civilian casualties.

(B) For each military operation listed pursuant to subparagraph (A), the following:

(i) The date.

(ii) The location.

(iii) The type of operation.

(iv) The confirmed number of civilian casualties.

(b) ANNUAL REPORT.—Not later than April 1 each year, the Secretary shall submit to the congressional defense committees a report setting forth the following:

(1) The information required under subsection (a)(2) for the preceding year, including any changes to such information as submitted previously in a report under subsection (a).

(2) A description of the actions taken by the Armed Forces of the United States in the preceding year to mitigate civilian casualties as a result of United States military operations that were in addition to any such actions taken in the year preceding such preceding year.

(3) Any other information the Secretary considers appropriate.

(c) FORM.—Each report under this section shall be submitted in unclassified form, but may include a classified annex.

(d) SUNSET.—The requirements to submit reports under this section shall expire on the date that is five years after the date of the enactment of this Act.

SA 856. Mr. BROWN (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1088. COLLABORATION BETWEEN FEDERAL AVIATION ADMINISTRATION AND DEPARTMENT OF DEFENSE ON UNMANNED AIRCRAFT SYSTEMS.

(a) COLLABORATION BETWEEN FEDERAL AVIATION ADMINISTRATION IN DEPARTMENT OF DEFENSE REQUIRED.—

(1) IN GENERAL.—The Administrator of the Federal Aviation Administration and the Secretary of Defense shall collaborate on developing standards, policies, and procedures for sense and avoid capabilities for unmanned aircraft systems.

(2) ELEMENTS.—The collaboration required by paragraph (1) shall include the following:

(A) Sharing information and technology on safely integrating unmanned aircraft systems and manned aircraft in the national airspace system.

(B) Building upon the experience of the Air Force and the Department of Defense to inform the Federal Aviation Administration's development of civil standards, policies, and procedures for integrating unmanned aircraft systems in the national airspace system.

(C) Assisting in the development of best practices for unmanned aircraft safety standards, development of airborne and ground-based sense and avoid capabilities for unmanned aircraft systems, and research and development on unmanned aircraft systems, especially with respect to matters involving human factors, information assurance, and security.

(b) PARTICIPATION BY FEDERAL AVIATION ADMINISTRATION IN DEPARTMENT OF DEFENSE ACTIVITIES.—

(1) IN GENERAL.—The Administrator may participate and provide assistance for participation in test and evaluation efforts of the Department of Defense, including the Air Force, relating to ground-based sense and avoid and airborne sense and avoid capabilities for unmanned aircraft systems.

(2) PARTICIPATION THROUGH CENTERS OF EXCELLENCE AND TEST SITES.—Participation under paragraph (1) may include provision of assistance through the Center of Excellence for Unmanned Aircraft Systems and unmanned aircraft systems test ranges designated under section 332(c) of the FAA Modernization and Reform Act of 2012 (Public Law 112–95; 49 U.S.C. 40101 note).

(c) UNMANNED AIRCRAFT SYSTEM DEFINED.—In this section, the term ''unmanned aircraft system'' has the meaning given that term in section 331 of the FAA Modernization and Reform Act of 2012 (Public Law 112–95; 49 U.S.C. 40101 note).

SA 857. Mr. DONNELLY submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 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 appropriate place, insert the following:

SEC. ___. NORTH KOREA STRATEGY.

(a) REPORT ON STRATEGY REQUIRED.—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 that sets forth a strategy of the United States with respect to North Korea.

(b) ELEMENTS.—The report required by subsection (a) shall include the following elements:

(1) A description and assessment of the primary threats to United States national security interests from North Korea.

(2) A description of support from foreign nations for North Korea's nuclear and ballistic missile programs.

(3) A description of the security relationships between China and North Korea and Russia and North Korea, including trends in those relationships and their impact on the Government of North Korea.

(4) A description of the security relationships between other countries and North Korea, and an identification of countries that may be undermining United States objectives identified in paragraph (5).

(5) The desired end state in North Korea and current United States objectives relative to security threats emanating from North Korea.

(6) A detailed roadmap to reach the end state and objectives identified in paragraph (5).

(7) An identification of the resources and authorities necessary to carry out the roadmap described in paragraph (6).

(8) A description of operational plans and associated military requirements for the protection of United States national security interests relative to threats from North Korea.

(9) An identification of any personnel, capability, and resource gaps that would impact the execution of the roadmap described in paragraph (6) or any associated operational plan, and a mitigation plan to address such gaps.

(10) An assessment of current and desired partner nation contributions to countering threats from North Korea and a plan to enhance military cooperation with nations that have shared security interests.

(c) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(d) QUARTERLY UPDATES REQUIRED.—The Secretary of Defense shall provide Congress with a quarterly written progress report on the implementation of the strategy required pursuant to subsection (a) in unclassified form.

SA 858. Mr. DONNELLY submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 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 appropriate place, insert the following:

SEC. ___. NORTH KOREA STRATEGY.

(a) REPORT ON STRATEGY REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the President shall submit to Congress a report that sets forth a strategy of the United States with respect to North Korea.

(b) ELEMENTS.—The report required by subsection (a) shall include the following elements:

(1) A description and assessment of the primary threats to United States national security interests from North Korea.

(2) A description of support from foreign nations for North Korea's nuclear and ballistic missile programs.

(3) A description of known foreign nation, foreign entity, or individual violations of existing United Nations sanctions against North Korea, together with parameters for determining whether and on what timeline it serves United States interests to target those violators with unilateral secondary sanctions.

(4) A description of the economic, political, and trade relationships between China and North Korea and Russia and North Korea, including trends in those relationships and their impact on the Government of North Korea.

(5) A description of the economic, political, and trade relationships between other countries and North Korea, and an identification of countries that may be undermining United States objectives identified in paragraph (7).

(6) A description of the channels North Korea is using to access the United States and international financial systems, the degree to which those channels have been targeted by United States and multilateral sanctions thus far, and a roadmap for determining whether, how, and on what timeline the United States may take action to cut off access in the future.

(7) The desired end state in North Korea and current United States objectives relative to security threats emanating from North Korea.

(8) A description of existing unilateral and multilateral levers the United States has to exert coercive pressure on North Korea, together with an assessment of the degree to which those levers have been utilized thus far, the degree to which those actions have imposed costs on North Korea, remaining options for increasing those costs, and parameters the President will use to determine when and to what degree increasing those costs is necessary.

(9) A detailed roadmap to reach the end state and objectives identified in paragraph (7) through unilateral and multilateral diplomatic and economic means, including timelines for each element of the roadmap.

(10) An identification of the resources and authorities necessary to carry out the roadmap described in paragraph (9).

(11) A description of the number and types of United States civilian personnel supporting the roadmap described in paragraph (9), including an identification of appointed positions relevant to the roadmap and the current status of such positions as vacant or filled.

(12) A description of operational plans and associated military requirements for the protection of United States national security interests relative to threats from North Korea.

(13) An identification of any military or civilian personnel, capability, and resource gaps that would impact the execution of the roadmap described in paragraph (9) or any associated operational plan, and a mitigation plan to address such gaps.

(14) An assessment of current and desired partner nation contributions to countering threats from North Korea and a plan to enhance diplomatic, economic, and military cooperation with nations that have shared security interests.

(c) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(d) QUARTERLY UPDATES REQUIRED.—The President shall provide Congress with a quarterly written progress report on the implementation of the strategy required pursuant to subsection (a) in unclassified form.

SA 859. Mr. BOOKER (for himself and Mrs. FISCHER) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 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 VI, add the following:

SEC. ____. IMPROVED EMPLOYMENT ASSISTANCE FOR MEMBERS OF THE ARMED FORCES AND VETERANS.

(a) IMPROVED EMPLOYMENT SKILLS VERIFICATION.—Section 1143(a) of title 10, United States Code, is amended—

(1) by inserting ''(1)'' before ''The Secretary of Defense''; and

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

''(2) In order to improve the accuracy and completeness of a certification or verification of job skills and experience required by paragraph (1), the Secretary of Defense and the Secretary of Homeland Security with respect to the Coast Guard when it is not operating as a service in the Navy shall—

''(A) establish a database to record all training performed by members of the armed forces that may have application to employment in the civilian sector; and

''(B) make unclassified information regarding such information available to States and other potential employers referred to in subsection (c) so that State and other entities may allow military training to satisfy licensing or certification requirements to engage in a civilian profession.''.

(b) IMPROVED ACCURACY OF CERTIFICATES OF TRAINING AND SKILLS.—Section 1143(a) of title 10, United States Code, is further amended by inserting after paragraph (2), as added by subsection (a), the following new paragraph:

''(3) The Secretary of Defense and the Secretary of Homeland Security with respect to the Coast Guard when it is not operating as a service in the Navy shall ensure that a certification or verification of job skills and experience required by paragraph (1) is rendered in such a way that States and other potential employers can confirm the accuracy and authenticity of the certification or verification.''.

(c) IMPROVED RESPONSIVENESS TO CERTIFICATION REQUESTS.—Section 1143(c) of title 10, United States Code, is amended—

(1) by inserting ''(1)'' before ''For the purpose''; and

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

''(2) A State may use a certification or verification of job skills and experience provided to a member of the armed forces under subsection (a) and request the Department of Defense or the Coast Guard, as the case may be, to confirm the accuracy and authenticity of the certification or verification. A response confirming or denying the information shall be provided within five business days.''.

(d) IMPROVED NOTICE TO MEMBERS.—Section 1142(b)(4)(A) of title 10, United States Code, is amended by inserting before the semicolon the following: '', including State-submitted and approved lists of military training and skills that satisfy occupational certifications and licenses''.

SA 860. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ____. PERMANENT RESIDENT STATUS FOR ALEMSEGHED MUSSIE TESFAMICAL.

(a) IN GENERAL.—Notwithstanding subsections (a) and (b) of section 201 of the Immigration and Nationality Act (8 U.S.C. 1151) and section 240 of such Act (8 U.S.C. 1229a), Alemseghed Mussie Tesfamical shall be eligible for the issuance of an immigrant visa or for adjustment of status to that of an alien lawfully admitted for permanent residence upon filing an application for issuance of an immigrant visa under section 204 of such Act (8 U.S.C. 1154) or for adjustment of status to lawful permanent resident.

(b) ADJUSTMENT OF STATUS.—If Alemseghed Mussie Tesfamical enters the United States

before the filing deadline specified in subsection (c), Alemseghed Mussie Tesfamical shall be considered to have entered into and remained lawfully in the United States and, if otherwise eligible, shall be eligible for adjustment of status under section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) as of the date of the enactment of this Act.

(c) DEADLINE FOR APPLICATION AND PAYMENT OF FEES.—Subsections (a) and (b) shall apply only if the application for issuance of an immigrant visa or for adjustment of status is filed by Alemseghed Mussie Tesfamical with appropriate fees not later than 2 years after the date of the enactment of this Act.

(d) REDUCTION OF IMMIGRANT VISA NUMBER.—Upon the granting of an immigrant visa or permanent residence to Alemseghed Mussie Tesfamical, the Secretary of State shall instruct the proper officer to reduce by 1, during the current or next following fiscal year, the total number of immigrant visas that are made available to natives of the country of Alemseghed Mussie Tesfamical's birth under section 203(a) of the Immigration and Nationality Act (8 U.S.C. 1153(a)) or, if applicable, the total number of immigrant visas that are made available to natives of such country under section 202(e) of such Act (8 U.S.C. 1152(e)).

SA 861. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 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 appropriate place, insert the following:

SEC. ___. PERMANENT RESIDENT STATUS FOR JOEL COLINDRES.

(a) IN GENERAL.—Notwithstanding subsections (a) and (b) of section 201 of the Immigration and Nationality Act (8 U.S.C. 1151), Joel Colindres shall be eligible for issuance of an immigrant visa or for adjustment of status to that of an alien lawfully admitted for permanent residence upon filing an application for issuance of an immigrant visa under section 204 of such Act (8 U.S.C. 1154) or for adjustment of status to lawful permanent resident.

(b) ADJUSTMENT OF STATUS.—If Joel Colindres enters the United States before the filing deadline specified in subsection (c), Joel Colindres shall be considered to have entered and remained lawfully in the United States and shall be eligible for adjustment of status under section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) as of the date of the enactment of this Act.

(c) APPLICATION AND PAYMENT OF FEES.—Subsections (a) and (b) shall apply only if the application for the issuance of an immigrant visa or the application for adjustment of status is filed with appropriate fees not later than 2 years after the date of the enactment of this Act.

(d) REDUCTION OF IMMIGRANT VISA NUMBERS.—Upon the granting of an immigrant visa or permanent residence to Joel Colindres, the Secretary of State shall instruct the proper officer to reduce by 1, during the current or next following fiscal year—

(1) the total number of immigrant visas that are made available to natives of the country of birth of Joel Colindres under section 203(a) of the Immigration and Nationality Act (8 U.S.C. 1153(a)); or

(2) if applicable, the total number of immigrant visas that are made available to natives of the country of birth of Joel Colindres under section 202(e) of such Act (8 U.S.C. 1152(e)).

(e) PAYGO.—The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the Committee on the Budget of the Senate, provided that such statement has been submitted prior to the vote on passage.

SA 862. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 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 appropriate place, insert the following:

SEC. ___. PERMANENT RESIDENT STATUS FOR VALENT KOLAMI.

(a) IN GENERAL.—Notwithstanding subsections (a) and (b) of section 201 of the Immigration and Nationality Act (8 U.S.C. 1151), Valent Kolami shall be eligible for issuance of an immigrant visa or for adjustment of status to that of an alien lawfully admitted for permanent residence upon filing an application for issuance of an immigrant visa under section 204 of such Act (8 U.S.C. 1154) or for adjustment of status to lawful permanent resident.

(b) ADJUSTMENT OF STATUS.—If Valent Kolami enters the United States before the filing deadline specified in subsection (c), Valent Kolami shall be considered to have entered and remained lawfully in the United States and shall be eligible for adjustment of status under section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) as of the date of the enactment of this Act.

(c) APPLICATION AND PAYMENT OF FEES.—Subsections (a) and (b) shall apply only if the application for the issuance of an immigrant visa or the application for adjustment of status is filed with appropriate fees not later than 2 years after the date of the enactment of this Act.

(d) REDUCTION OF IMMIGRANT VISA NUMBERS.—Upon the granting of an immigrant visa or permanent residence to Valent Kolami, the Secretary of State shall instruct the proper officer to reduce by 1, during the current or next following fiscal year—

(1) the total number of immigrant visas that are made available to natives of the country of birth of Valent Kolami under section 203(a) of the Immigration and Nationality Act (8 U.S.C. 1153(a)); or

(2) if applicable, the total number of immigrant visas that are made available to natives of the country of birth of Valent Kolami under section 202(e) of such Act (8 U.S.C. 1152(e)).

(e) PAYGO.—The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

SA 863. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 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 appropriate place, insert the following:

SEC. ___. PERMANENT RESIDENT STATUS FOR ADRIAN EMIN.

(a) IN GENERAL.—Notwithstanding subsections (a) and (b) of section 201 of the Immigration and Nationality Act (8 U.S.C. 1151), Adrian Emin shall be eligible for issuance of an immigrant visa or for adjustment of status to that of an alien lawfully admitted for permanent residence upon filing an application for issuance of an immigrant visa under section 204 of such Act (8 U.S.C. 1154) or for adjustment of status to lawful permanent resident.

(b) ADJUSTMENT OF STATUS.—If Adrian Emin enters the United States before the filing deadline specified in subsection (c), Adrian Emin shall be considered to have entered and remained lawfully in the United States and shall be eligible for adjustment of status under section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) as of the date of the enactment of this Act.

(c) APPLICATION AND PAYMENT OF FEES.—Subsections (a) and (b) shall apply only if the application for the issuance of an immigrant visa or the application for adjustment of status is filed with appropriate fees not later than 2 years after the date of the enactment of this Act.

(d) REDUCTION OF IMMIGRANT VISA NUMBERS.—Upon the granting of an immigrant visa or permanent residence to Adrian Emin, the Secretary of State shall instruct the proper officer to reduce by 1, during the current or next following fiscal year—

(1) the total number of immigrant visas that are made available to natives of the country of birth of Adrian Emin under section 203(a) of the Immigration and Nationality Act (8 U.S.C. 1153(a)); or

(2) if applicable, the total number of immigrant visas that are made available to natives of the country of birth of Adrian Emin under section 202(e) of such Act (8 U.S.C. 1152(e)).

(e) PAYGO.—The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

SA 864. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 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 appropriate place, insert the following:

SEC. ___. PERMANENT RESIDENT STATUS FOR NURY CHAVARRIA.

(a) IN GENERAL.—Notwithstanding subsections (a) and (b) of section 201 of the Immigration and Nationality Act (8 U.S.C. 1151), Nury Chavarria shall be eligible for issuance of an immigrant visa or for adjustment of status to that of an alien lawfully admitted for permanent residence upon filing an application for issuance of an immigrant visa under section 204 of such Act (8 U.S.C. 1154) or for adjustment of status to lawful permanent resident.

(b) ADJUSTMENT OF STATUS.—If Nury Chavarria enters the United States before the filing deadline specified in subsection (c), Nury Chavarria shall be considered to have entered and remained lawfully in the United States and shall be eligible for adjustment of status under section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) as of the date of the enactment of this Act.

(c) APPLICATION AND PAYMENT OF FEES.—Subsections (a) and (b) shall apply only if the application for the issuance of an immigrant visa or the application for adjustment of status is filed with appropriate fees not later than 2 years after the date of the enactment of this Act.

(d) REDUCTION OF IMMIGRANT VISA NUMBERS.—Upon the granting of an immigrant visa or permanent residence to Nury Chavarria, the Secretary of State shall instruct the proper officer to reduce by 1, during the current or next following fiscal year—

(1) the total number of immigrant visas that are made available to natives of the country of birth of Nury Chavarria under section 203(a) of the Immigration and Nationality Act (8 U.S.C. 1153(a)); or

(2) if applicable, the total number of immigrant visas that are made available to natives of the country of birth of Nury Chavarria under section 202(e) of such Act (8 U.S.C. 1152(e)).

(e) PAYGO.—The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the Committee on the Budget of the Senate, provided that such statement has been submitted prior to the vote on passage.

SA 865. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 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 appropriate place, insert the following:

SEC. ___. PERMANENT RESIDENT STATUS FOR VALENT KOLAMI, NURY CHAVARRIA, JOEL COLINDRES, AND ADRIAN EMIN.

(a) IN GENERAL.—Notwithstanding subsections (a) and (b) of section 201 of the Immigration and Nationality Act (8 U.S.C. 1151), Valent Kolami, Nury Chavarria, Joel Colindres, and Adrian Emin shall each be eligible for issuance of an immigrant visa or for adjustment of status to that of an alien lawfully admitted for permanent residence upon filing an application for issuance of an immigrant visa under section 204 of such Act (8 U.S.C. 1154) or for adjustment of status to lawful permanent resident.

(b) ADJUSTMENT OF STATUS.—If Valent Kolami, Nury Chavarria, Joel Colindres, or Adrian Emin enters the United States before the filing deadline specified in subsection (c), Valent Kolami, Nury Chavarria, Joel Colindres, or Adrian Emin, as applicable, shall be considered to have entered and remained lawfully in the United States and shall be eligible for adjustment of status under section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) as of the date of the enactment of this Act.

(c) APPLICATION AND PAYMENT OF FEES.—Subsections (a) and (b) shall apply only if the application for the issuance of an immigrant visa or the application for adjustment of status is filed with appropriate fees not later than 2 years after the date of the enactment of this Act.

(d) REDUCTION OF IMMIGRANT VISA NUMBERS.—Upon the granting of an immigrant visa or permanent residence to Valent Kolami, Nury Chavarria, Joel Colindres, or Adrian Emin, the Secretary of State shall instruct the proper officer to reduce by 1, during the current or next following fiscal year—

(1) the total number of immigrant visas that are made available to natives of the country of birth of Valent Kolami, Nury Chavarria, Joel Colindres, or Adrian Emin, as applicable, under section 203(a) of the Immigration and Nationality Act (8 U.S.C. 1153(a)); or

(2) the total number of immigrant visas that are made available to natives of the country of birth of Valent Kolami, Nury Chavarria, Joel Colindres, or Adrian Emin, as applicable, under section 202(e) of such Act (8 U.S.C. 1152(e)).

(e) PAYGO.—The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

SA 866. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 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 appropriate place, insert the following:

SEC. ___. PERMANENT RESIDENT STATUS FOR LUIS BARRIOS, VALENT KOLAMI, NURY CHAVARRIA, JOEL COLINDRES, AND ADRIAN EMIN.

(a) IN GENERAL.—Notwithstanding subsections (a) and (b) of section 201 of the Immigration and Nationality Act (8 U.S.C. 1151), Luis Barrios, Valent Kolami, Nury Chavarria, Joel Colindres, and Adrian Emin shall each be eligible for issuance of an immigrant visa or for adjustment of status to that of an alien lawfully admitted for permanent residence upon filing an application for issuance of an immigrant visa under section 204 of such Act (8 U.S.C. 1154) or for adjustment of status to lawful permanent resident.

(b) ADJUSTMENT OF STATUS.—If Luis Barrios, Valent Kolami, Nury Chavarria, Joel Colindres, or Adrian Emin enters the United States before the filing deadline specified in subsection (c), Luis Barrios, Valent Kolami, Nury Chavarria, Joel Colindres, or Adrian Emin, as applicable, shall be considered to have entered and remained lawfully in the United States and shall be eligible for adjustment of status under section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) as of the date of the enactment of this Act.

(c) APPLICATION AND PAYMENT OF FEES.—Subsections (a) and (b) shall apply only if the application for the issuance of an immigrant visa or the application for adjustment of status is filed with appropriate fees not later than 2 years after the date of the enactment of this Act.

(d) REDUCTION OF IMMIGRANT VISA NUMBERS.—Upon the granting of an immigrant visa or permanent residence to Luis Barrios, Valent Kolami, Nury Chavarria, Joel Colindres, or Adrian Emin, the Secretary of State shall instruct the proper officer to reduce by 1, during the current or next following fiscal year—

(1) the total number of immigrant visas that are made available to natives of the country of birth of Luis Barrios, Valent Kolami, Nury Chavarria, Joel Colindres, or Adrian Emin, as applicable, under section 203(a) of the Immigration and Nationality Act (8 U.S.C. 1153(a)); or

(2) the total number of immigrant visas that are made available to natives of the country of birth of Luis Barrios, Valent Kolami, Nury Chavarria, Joel Colindres, or Adrian Emin, as applicable, under section 202(e) of such Act (8 U.S.C. 1152(e)).

(e) PAYGO.—The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

SA 867. Ms. WARREN (for herself and Mr. TILLIS) submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 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 XVI, add the following:

SEC. 1630C. REPORT ON SIGNIFICANT SECURITY RISKS OF DEFENSE CRITICAL ELECTRIC INFRASTRUCTURE.

(a) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall, in coordination with the Director of National Intelligence, the Secretary of Energy, and the Secretary of Homeland Security, submit to the appropriate committees of Congress a report setting forth the following:

(1) Identification of significant security risks to defense critical electric infrastructure posed by significant malicious cyber-enabled activities.

(2) An assessment of the potential effect of the security risks identified pursuant to paragraph (1) on the readiness of the Armed Forces.

(3) An assessment of the strategic benefits derived from, and the challenges associated with, isolating military infrastructure from the national electric grid and the use of microgrids by the Armed Forces.

(4) Recommendations on actions to be taken—

(A) to eliminate or mitigate the security risks identified pursuant to paragraph (1); and

(B) to address the effect of those security risks on the readiness of the Armed Forces identified pursuant to paragraph (2).

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

(c) DEFINITIONS.—In this section:

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

(A) the congressional defense committees;

(B) the Committee on Energy and Natural Resources and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(C) the Committee on Energy and Commerce and the Committee on Homeland Security of the House of Representatives.

(2) The term ''defense critical electric infrastructure''—

(A) has the meaning given such term in section 215A(a) of the Federal Power Act (16 U.S.C. 824o–1(a)); and

(B) shall include any electric infrastructure located in any of the 48 contiguous States or the District of Columbia that serves a facility—

(i) designated by the Secretary of Defense as—

(I) critical to the defense of the United States; and

(II) vulnerable to a disruption of the supply of electric energy provided to such facility by an external provider; and

(ii) that is not owned or operated by the owner or operator of such facility.

(3) The term ''security risk'' shall have such meaning as the Secretary of Defense shall determine, in coordination with the Director of National Intelligence and the Secretary of Energy, for purposes of the report required by subsection (a).

(4) The term ''significant malicious cyber-enabled activities'' include—

(A) significant efforts—

(i) to deny access to or degrade, disrupt, or destroy an information and communications technology system or network; or

(ii) to exfiltrate, degrade, corrupt, destroy, or release information from such a system or network without authorization for purposes of—

(I) conducting influence operations; or

(II) causing a significant misappropriation of funds, economic resources, trade secrets, personal identifications, or financial information for commercial or competitive advantage or private financial gain;

(B) significant destructive malware attacks; and

(C) significant denial of service activities.

SA 868. Mr. VAN HOLLEN submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 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 appropriate place, insert the following:

SECTION 1. STRENGTHENING ALLIED CYBERSECURITY.

(a) SHORT TITLE.—This section may be cited as the ''Strengthening Allied Cybersecurity Act of 2017''.

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

(1) In January 2017, the Director of National Intelligence (referred to in this Act as the ''DNI''), in coordination with the Central Intelligence Agency, the Federal Bureau of Investigation (referred to in this Act as the ''FBI''), and the National Security Agency, judged with high confidence that Russian President Vladimir Putin ordered an influence campaign aimed at the 2016 United States presidential election.

(2) The DNI report stated, ''[The Department of Homeland Security] assesses that the types of systems Russian actors targeted or compromised were not involved in vote tallying.''.

(3) On January 10, 2017, the DNI stated, in testimony before the Select Committee on Intelligence of the Senate, ''We can say that we did not see evidence of the Russians altering vote tallies.''.

(4) On March 20, 2017, FBI Director James Comey stated, in testimony before the Permanent Select Committee on Intelligence of the House of Representatives, ''We also, as a government, supplied information to all the states so they could equip themselves to make sure there was no successful effort to affect the vote and there was none, as we said earlier.''.

(5) The DNI, in coordination with the Central Intelligence Agency, the FBI, and the National Security Agency, judged that Russia's intelligence services conducted cyber operations against targets associated with the 2016 United States presidential election.

(6) The DNI assessed that the Russian Government's campaign aimed at the United States election featured—

(A) disclosures of data obtained through Russian cyber operations;

(B) intrusions into United States state and local election boards; and

(C) overt propaganda.

(7) Russia's use of public disclosures of Russian-collected data during the United States election was unprecedented.

(8) The DNI, in coordination with the Central Intelligence Agency, the FBI, and the National Security Agency, assessed that Russia will apply lessons learned from its Putin-ordered campaign aimed at the United States presidential election to influence future elections worldwide, including against United States allies and their election processes.

(9) In May 2016, Germany's domestic intelligence agency assessed that hackers linked to the Russian Government had targeted Chancellor Angela Merkel's Christian Democratic Union party and German state computers.

(10) The head of Germany's foreign intelligence service, Bruno Kahl, later asserted that Germany had ''evidence that cyber-attacks are taking place that have no other purpose than to elicit political uncertainty. The perpetrators are interested in delegitimizing the democratic process as such, regardless of who that ends of helping. We have indications that [the attacks] come from the Russian region.'' In November 2016, German Chancellor Merkel, said, ''such cyber-attacks, or hybrid conflicts as they are known in Russian doctrine, are now part of daily life and we must learn to cope with them''.

(11) On May 9, 2017, Admiral Michael Rogers, United States Cyber Command commander and Director of the National Security Agency, testified before the Committee on Armed Services of the Senate that the United States surveilled Russian hackers attack French computer systems as the French election approached. In his testimony, Rogers said, ''We had talked to our French counterparts prior to the public announcements of the events that were publicly attributed this past weekend, and gave them a heads up, 'Look we're watching the Russians, we're seeing them penetrate some of your infrastructure.'.''.

(12) In February 2017, the United Kingdom's Defence Secretary Fallon stated that—

(A) all North Atlantic Treaty Organization (NATO) countries must support reform ''to make NATO more agile, resilient, and better configured to operate in the contemporary environment including against hybrid and cyber-attacks''; and

(B) ''NATO must defend itself as effectively in the cyber sphere as it does in the air, on land, and at sea.''.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

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

(B) the Committee on Foreign Affairs of the House of Representatives;

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

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

(E) the Select Committee on Intelligence of the Senate;

(F) the Permanent Select Committee on Intelligence of the House of Representatives;

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

(H) the Committee on Homeland Security of the House of Representatives;

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

(J) the Committee on Armed Services of the House of Representatives;

(K) the Committee on the Judiciary of the Senate; and

(L) the Committee on the Judiciary of the House of Representatives.

(2) APPROPRIATE FEDERAL AGENCIES.—The term ''appropriate Federal agencies'' means—

(A) the Department of Defense;

(B) the Department of Homeland Security;

(C) the Department of Justice;

(D) the Department of the Treasury;

(E) the Office of the Director of National Intelligence; and

(F) the Department of Commerce

(3) HYBRID WARFARE.—The term ''hybrid warfare'' means a military strategy that blends conventional warfare, irregular warfare, informational warfare, and cyber warfare.

(d) TRANS-ATLANTIC CYBERSECURITY COOPERATION STRATEGY.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of State, in coordination with the heads of the appropriate Federal agencies, shall develop, and submit to the appropriate congressional committees, a trans-Atlantic cybersecurity strategy, with a classified annex if necessary, that includes—

(A) a plan of action to guide United States cooperation with North Atlantic Treaty Organization (NATO) allies to respond to Russia's hybrid warfare against NATO allies;

(B) a plan of action to guide United States cooperation with European partners, including non-NATO nations, to counter Russia's cyber efforts to undermine democratic elections in the United States and Europe;

(C) an assessment of nonmilitary tools and tactics, including sanctions, indictments, or other actions that the United States can use, unilaterally or in cooperation with like-minded nations, to counter Russia's malicious cyber activity in the United States and Europe; and

(D) a review of resources required by the Department of State and appropriate Federal agencies to conduct activities to build cooperation with NATO allies and European partners on countering Russia's hybrid warfare and disinformation efforts.

(2) CIVIL LIBERTIES AND PRIVACY.—The Secretary of State shall ensure that the implementation of the strategy described in paragraph (1) is consistent with United States standards for civil liberties and privacy protections.

(e) FEDERAL CYBERSECURITY LIAISON TO UNITED STATES PRESIDENTIAL CAMPAIGNS AND MAJOR NATIONAL POLITICAL PARTY COMMITTEES.—

(1) APPOINTMENT.—The Director of the Federal Bureau of Investigation shall appoint, at the rank of Executive Assistant Director, a cybersecurity liaison for presidential campaigns and major national political party committees, who, at the request of presidential campaigns and major national political party committees, shall—

(A) regularly share cybersecurity best practices and protocols with each presidential campaign, the Democratic National Committee, the Republican National Committee, the Democratic Senatorial Campaign Committee, the National Republican Senatorial Committee, the Democratic Congressional Campaign Committee, and the National Republican Congressional Committee; and

(B) provide the timely sharing of cybersecurity threats to such campaigns and committees to prevent or mitigate adverse effects from such cybersecurity threats.

(f) REPORTING REQUIREMENT.—The Secretary of State, in coordination with the heads of the appropriate Federal agencies, shall submit an annual report to the appropriate congressional committees on the implementation of the trans-Atlantic cybersecurity cooperation strategy developed under subsection (d).

SA 869. Mrs. GILLIBRAND (for herself and Ms. COLLINS) submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 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. _____. RETENTION AND SERVICE OF TRANSGENDER MEMBERS OF THE ARMED FORCES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that individuals who are qualified and can meet the standards to serve in the military should be eligible to serve.

(b) PROHIBITION ON CERTAIN ACTIONS BASED ON MEMBER GENDER IDENTITY.—A member of the Armed Forces may not be involuntarily separated from the Armed Forces, or denied reenlistment or continuation in service in the Armed Forces, solely on the basis of the member's gender identity.

(c) REVIEW OF ACCESSION OF TRANSGENDER INDIVIDUALS INTO THE ARMED FORCES.—

(1) DEADLINE FOR COMPLETION OF REVIEW.—The Secretary of Defense shall complete the review of policy on the accession of transgender individuals into the Armed Forces announced by the Secretary on June 30, 2017, by not later than December 31, 2017.

(2) REPORT.—Not later than February 21, 2018, the Secretary shall submit to Congress a comprehensive report on the results of the review of policy described in paragraph (1).

SA 870. Mr. COTTON (for himself and Mr. GRAHAM) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 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 II, add the following:

SEC. 236. VERY-LOW PROFILE HARDWARE TO INTERACT WITH THE MOBILE USER OBJECTIVE SYSTEM AND OTHER SYSTEMS.

(a) ADDITIONAL FUNDING.—The amount authorized to be appropriated for fiscal year 2018 by section 201 for research, development, test, and evaluation is hereby increased by $8,000,000, with the amount of the increase to be available for the Joint Tactical Information Distribution System (PE 0604771D8Z).

(b) AVAILABILITY.—The amount available under subsection (a) shall be available for the Secretary of Defense to study and demonstrate very-low profile hardware, such as antennas and chipsets, with software, encryption, and cyber and network management tools necessary to interact with the Mobile User Objective System (MUOS) and other systems that are considered part of the Internet of things to provide command, control, communications, and cyber restoral capabilities.

(c) OFFSET.—The amount authorized to be appropriated for fiscal year 2018 by section 301 for operation and maintenance is hereby decreased by $8,000,000, with the amount of the decrease to be applied as an increase to the reduction from fuel savings in the funding table in section 4301.

SA 871. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 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 X, add the following:

SEC. _____. REPEAL OF AUTHORIZATION FOR USE OF MILITARY FORCE AND AUTHORIZATION FOR USE OF MILITARY FORCE AGAINST IRAQ RESOLUTION OF 2002.

Effective as of the date that is six months after the date of the enactment of this Act, the following are repealed:

(1) The Authorization for Use of Military Force (Public Law 107–40; 50 U.S.C. 1541 note).

(2) The Authorization for Use of Military Force Against Iraq Resolution of 2002 (Public Law 107–243; 50 U.S.C. 1541 note).

SA 872. Mr. PAUL (for himself, Mr. SCHATZ, and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 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 division A, add the following:

TITLE XVII—PREVENTION OF MILITARIZATION OF LAW ENFORCEMENT BY EXCESS FEDERAL PROPERTY TRANSFERS

SEC. 1701. SHORT TITLE.

This title may be cited as the ''Stop Militarizing Law Enforcement Act''.

SEC. 1702. ADDITIONAL LIMITATIONS ON TRANSFER OF DEPARTMENT OF DEFENSE PERSONAL PROPERTY TO FEDERAL AND STATE LAW ENFORCEMENT AGENCIES.

(a) ADDITIONAL LIMITATIONS.—

(1) IN GENERAL.—Section 2576a of title 10, United States Code, is amended—

(A) in subsection (a)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by striking ''subsection (b)'' and inserting ''the provisions of this section''; and

(II) in subparagraph (A), by striking '', including counter-drug and counterterrorism activities''; and

(ii) in paragraph (2), by striking ''and the Director of National Drug Control Policy'';

(B) in subsection (b)—

(i) in paragraph (3), by striking ''and'' at the end;

(ii) in paragraph (4), by striking the period and inserting a semicolon; and

(iii) by adding at the end the following new paragraphs:

''(5) the recipient certifies to the Department of Defense that it has the personnel and technical capacity, including training, to operate the property; and

''(6) the recipient certifies to the Department of Defense that if the recipient determines that the property is surplus to the needs of the recipient, the recipient will return the property to the Department of Defense.'';

(C) by striking subsection (d); and

(D) by adding at the end the following new subsections:

''(d) LIMITATIONS ON TRANSFERS.—The Secretary of Defense may not transfer under this section any property as follows:

''(1) Weapons, weapon parts, and weapon components, including camouflage and deception equipment, and optical sights.

''(2) Weapon system specific vehicular accessories.

''(3) Demolition materials.

''(4) Explosive ordinance.

''(5) Night vision equipment.

''(6) Tactical clothing, including uniform clothing and footwear items, special purpose clothing items, and specialized flight clothing and accessories.

''(7) Drones.

''(8) Combat, assault, and tactical vehicles, including Mine-Resistant Ambush Protected (MRAP) vehicles.

''(9) Training aids and devices.

''(10) Firearms of .50 caliber or higher, ammunition of .50 caliber or higher, grenade launchers, flash grenades, and bayonets.

''(e) APPROVAL BY LAW REQUIRED FOR TRANSFER OF PROPERTY NOT PREVIOUSLY TRANSFERRABLE.—(1) In the event the Secretary of Defense proposes to make available for transfer under this section any property of the Department of Defense not previously made available for transfer under this section, the Secretary shall submit to the appropriate committees of Congress a report setting forth the following:

''(A) A description of the property proposed to be made available for transfer.

''(B) A description of the conditions, if any, to be imposed on use of the property after transfer.

''(C) A certification that transfer of the property would not violate a provision of this section or any other provision of law.

''(2) The Secretary may not transfer any property covered by a report under this subsection unless authorized by a law enacted by Congress after the date of the receipt of the report by Congress.

''(f) ANNUAL CERTIFICATION ACCOUNTING FOR TRANSFERRED PROPERTY.—(1) The Secretary of Defense shall submit to the appropriate committees of Congress each year a certification in writing that each recipient to which the Secretary has transferred property under this section during the preceding fiscal year—

''(A) has provided to the Secretary documentation accounting for all property the Secretary has previously transferred to such recipient under this section; and

''(B) has complied with paragraphs (5) and (6) of subsection (b) with respect to the property so transferred during such fiscal year.

''(2) If the Secretary cannot provide a certification under paragraph (1) for a recipient, the Secretary may not transfer additional property to such recipient under this section, effective as of the date on which the Secretary would otherwise make the certification under this subsection, and such recipient shall be suspended or terminated from further receipt of property under this section.

''(g) CONDITIONS FOR EXTENSION OF PROGRAM.—Notwithstanding any other provision of law, amounts authorized to be appropriated or otherwise made available for any fiscal year may not be obligated or expended to carry out this section unless the Secretary submits to the appropriate committees of Congress a certification that for the preceding fiscal year that—

''(1) each recipient agency that has received property under this section has—

''(A) demonstrated 100 percent accountability for all such property, in accordance with paragraph (2) or (3), as applicable; or

''(B) been suspended or terminated from the program pursuant to paragraph (4);

''(2) with respect to each non-Federal agency that has received property under this section, the State Coordinator responsible for each such agency has verified that the State Coordinator or an agent of the State Coordinator has conducted an in-person inventory of the property transferred to the agency and that 100 percent of such property was accounted for during the inventory or that the agency has been suspended or terminated from the program pursuant to paragraph (4);

''(3) with respect to each Federal agency that has received property under this section, the Secretary of Defense or an agent of the Secretary has conducted an in-person inventory of the property transferred to the agency and that 100 percent of such property was accounted for during the inventory or that the agency has been suspended or terminated from the program pursuant to paragraph (4);

''(4) the eligibility of any agency that has received property under this section for which 100 percent of the equipment was not accounted for during an inventory described in paragraph (2) or (3), as applicable, to receive property transferred under this section has been suspended or terminated; and

''(5) each State Coordinator has certified, for each non-Federal agency located in the State for which the State Coordinator is responsible that—

''(A) the agency has complied with all requirements under this section; or

''(B) the eligibility of the agency to receive property transferred under this section has been suspended or terminated; and

''(6) the Secretary of Defense has certified, for each Federal agency that has received property under this section that—

''(A) the agency has complied with all requirements under this section; or

''(B) the eligibility of the agency to receive property transferred under this section has been suspended or terminated.

''(h) WEBSITE.—The Defense Logistics Agency shall maintain, and update on a quarterly basis, an Internet website on which the following information shall be made publicly available in a searchable format:

''(1) A description of each transfer made under this section, including transfers made before the date of the enactment of the Stop Militarizing Law Enforcement Act, set forth by State, county, and recipient agency, and including item name, item type, item model, and quantity.

''(2) A list of all property transferred under this section that is not accounted for by the Defense Logistics Agency, including—

''(A) the name of the State, county, and recipient agency;

''(B) the item name, item type, and item model;

''(C) the date on which such property became unaccounted for by the Defense Logistics Agency; and

''(D) the current status of such item.

''(3) A list of each agency suspended or terminated from further receipt of property under this section, including State, county, and agency, and the reason for and duration of such suspension or termination.

''(i) DEFINITIONS.—In this section:

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

''(A) the Committee on Armed Services and the Committee on Homeland Security and Governmental Affairs of the Senate; and

''(B) the Committee on Armed Services and the Committee on Oversight and Government Reform of the House of Representatives.

''(2) The term 'agent of a State Coordinator' means any individual to whom a State Coordinator formally delegates responsibilities for the duties of the State Coordinator to conduct inventories described in subsection (g)(2).

''(3) The term 'State Coordinator', with respect to a State, means the individual appointed by the governor of the State to maintain property accountability records and oversee property use by the State.''.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on the date of the enactment of this Act.

(b) RETURN OF PROPERTY TO DEPARTMENT OF DEFENSE.—Not later than one year after the date of the enactment of this Act, each Federal or State agency to which property described by subsection (d) of section 2576a of title 10, United States Code (as added by subsection (a)(1) of this section), was transferred before the date of the enactment of this Act shall return such property to the Defense Logistics Agency on behalf of the Department of Defense.

SEC. 1703. USE OF DEPARTMENT OF HOMELAND SECURITY PREPAREDNESS GRANT FUNDS.

(a) DEFINITIONS.—In this section—

(1) the term ''Agency'' means the Federal Emergency Management Agency; and

(2) the term ''preparedness grant program'' includes—

(A) the Urban Area Security Initiative authorized under section 2003 of the Homeland Security Act of 2002 (6 U.S.C. 604);

(B) the State Homeland Security Grant Program authorized under section 2004 of the Homeland Security Act of 2002 (6 U.S.C. 605);

(C) the Port Security Grant Program authorized under section 70107 of title 46, United States Code; and

(D) any other non-disaster preparedness grant program of the Agency.

(b) LIMITATION.—The Agency may not permit awards under a preparedness grant program—

(1) to be used to buy, maintain, or alter—

(A) explosive entry equipment;

(B) head and face protection equipment, other than those to be used by certified bomb technicians;

(C) canines (other than bomb-sniffing canines for agencies with certified bomb technicians or for use in search and rescue operations);

(D) tactical or armored vehicles;

(E) long range hailing and warning devices;

(F) tactical entry equipment (other than for use by specialized teams such as Accredited Bomb Squads, Tactical Entry, or Special Weapons and Tactics (SWAT) Teams); or

(G) firearms of .50 caliber or higher, ammunition of .50 caliber or higher, grenade launchers, flash grenades, or bayonets;

(2) to be used to buy, maintain, or alter body armor or ballistic helmets and shields unless the grantee certifies to the Agency that the equipment will not be used for riot suppression.

(c) REVIEW OF PRIOR RECEIPT OF PROPERTY BEFORE AWARD.—In making an award under a preparedness grant program, the Agency shall—

(1) determine whether the awardee has already received, and still retains, property from the Department of Defense pursuant to section 2576a of title 10, United States Code, including through review of the website maintained by the Defense Logistics Agency pursuant to subsection (h) of such section (as added by section 1702(a)(1) of this Act);

(2) require that the award may not be used by the awardee to procure or obtain property determined to be retained by the awardee pursuant to paragraph (1); and

(3) require that the award only be used to procure or obtain property in accordance with use restrictions contained within the Agency's State and Local Preparedness Grant Programs' Authorized Equipment List.

(d) USE OF GRANT PROGRAM FUNDS FOR REQUIRED RETURN OF PROPERTY TO DOD.—Notwithstanding any other provision of law, the use of funds by a State or local agency to return to the Department of Defense property transferred to such State or local agency pursuant to section 2676a of title 10, United States Code, as such return is required by section 1702(b) of this Act, shall be an allowable use of preparedness grant program funds by such agency.

(e) ACCOUNTABILITY MEASURES.—

(1) AUDIT OF USE OF PREPAREDNESS GRANT FUNDS.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall conduct an audit covering the period of fiscal year 2010 through the current fiscal year on the use of preparedness grant program funds. The audit shall assess how funds have been used to procure equipment, how the equipment has been used, and whether the grant awards have furthered the Agency's goal of improving the preparedness of State and local communities.

(2) ANNUAL ACCOUNTING OF USE OF AWARD FUNDS.—Not later than one year after the date of the enactment of this Act, the Agency shall develop and implement a system of accounting on an annual basis how preparedness grant program funds have been used to procure equipment, how the equipment has been used, whether grantees have complied with restrictions on the use of equipment contained with the Authorized Equipment List, and whether the awards have furthered the Agency's goal of enhancing the capabilities of State agencies to prevent, deter, respond to, and recover from terrorist attacks, major disasters, and other emergencies.

SEC. 1704. USE OF EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT FUNDS.

(a) LIMITATION.—Section 501(d) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3751(d)) is amended by adding at the end the following:

''(3) The purchase, maintenance, alteration, or operation of—

''(A) lethal weapons; or

''(B) less-lethal weapons.''.

(b) USE OF GRANT FUNDS FOR REQUIRED RETURN OF PROPERTY TO DOD.—Notwithstanding any other provision of law, the use of funds by a State agency or unit of local government to return to the Department of Defense property transferred to such agency or unit of local government pursuant to section 2676a of title 10, United States Code, as such return is required by section 1702(b) of this Act, shall be an allowable use of grant amounts under the Edward Byrne Memorial Justice Assistance Grant Program.

SEC. 1705. COMPTROLLER GENERAL REPORT.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter, the Comptroller General of the United States shall submit to Congress a report on Federal agencies, including offices of Inspector General for Federal agencies, that have specialized units that receive special tactical or military-style training or use hard-plated body armor, shields, or helmets and that respond to high-risk situations that fall outside the capabilities of regular law enforcement officers, including any special weapons and tactics (SWAT) team, tactical response teams, special events teams, special response teams, or active shooter teams.

(b) ELEMENTS.—The report required under subsection (a) shall include the following elements:

(1) A description of each specialized unit described under such subsection.

(2) A description of the training and weapons of each such unit.

(3) The criteria for activating each such unit and how often each such unit was activated for each year of the previous ten years.

(4) An estimate of the annual cost of equipping and operating each such unit.

(5) Any other information that is relevant to understanding the usefulness and justification for the units.

SA 873. Mrs. ERNST (for herself, Mrs. GILLIBRAND, and Ms. HIRONO) submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 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 appropriate place, insert the following:

SEC. ___. REPORT ON UTILIZATION OF SMALL BUSINESSES FOR FEDERAL CONTRACTS.

(a) FINDINGS.—Congress finds that—

(1) since the passage of the Budget Control Act of 2011 (Public Law 112–25; 125 Stat. 240), many Federal agencies have started favoring longer-term Federal contracts, including multiple award contracts, over direct individual awards;

(2) these multiple award contracts have grown to more than one-fifth of Federal contract spending, with the fastest growing multiple award contracts surpassing $100,000,000 in obligations for the first time between 2013 and 2014;

(3) in fiscal year 2017, 17 of the 20 largest Federal contract opportunities are multiple award contracts;

(4) while Federal agencies may choose to use any or all of the various socio-economic groups on a multiple award contract, the Small Business Administration only examines socio-economic performance through the small business procurement scorecard and does not examine potential opportunities by those groups; and

(5) Congress and the Department of Justice have been clear that no individual socio-economic group shall be given preference over another.

(b) DEFINITIONS.—In this section—

(1) the term ''Administrator'' means the Administrator of the Small Business Administration;

(2) the term ''covered small business concerns'' means—

(A) HUBZone small business concerns;

(B) small business concerns owned and controlled by service-disabled veterans;

(C) small business concerns owned and controlled by women; and

(D) socially and economically disadvantaged small business concerns, as defined in section 8(a)(4)(A) of the Small Business Act (15 U.S.C. 637(a)(4)(A)), receiving assistance under such section 8(a); and

(3) the terms ''HUBZone small business concern'', ''small business concern'', ''small business concern owned and controlled by service-disabled veterans'', and ''small business concern owned and controlled by women'' have the meanings given those terms in section 3 of the Small Business Act (15 U.S.C. 632).

(c) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report that includes—

(A) a determination as to whether small business concerns and each category of covered small business concerns described in subparagraphs (A) through (D) of subsection (b)(2) are being utilized in a significant portion of the Federal market on multiple award contracts, including—

(i) whether awards are being reserved for 1 or more of those categories; and

(ii) whether each such category is being given the opportunity to perform on multiple award contracts;

(B) a determination as to whether performance requirements for multiple award contracts, as in effect on the day before the date of enactment of this Act, are feasible and appropriate for small business concerns; and

(C) any additional information as the Administrator may determine necessary.

(2) REQUIREMENT.—In making the determinations required under paragraph (1), the Administrator shall use information from multiple award contracts—

(A) with varied assigned North American Industry Classification System codes; and

(B) that were awarded by not less than 8 Federal agencies.

SA 874. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ___. AUTHORIZED COST INCREASES.

Section 2853 of title 10, United States Code, is amended—

(1) in subsection (a), by inserting ''by not more than 10 percent'' after ''may be increased''; and

(2) in subsection (c)—

(A) by striking ''limitation on cost variations'' and inserting ''limitation on cost decreases''; and

(B) in paragraph (1)—

(i) by striking ''case of a cost increase or a reduction'' and inserting ''case of a reduction''; and

(ii) in subparagraph (A)—

(I) by striking ''cost increase or reduction in scope, the reasons therefor,'' and inserting ''reduction in scope, the reasons therefor, and''; and

(II) by striking '', and a description of the funds proposed to be used to finance any increased costs''.

SA 875. Mr. MCCAIN (for himself and Mr. REED) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 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 title XXVII and insert the following:

TITLE XXVII—BASE REALIGNMENT AND CLOSURE ACTIVITIES

Subtitle A—Authorization of Appropriations

SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR BASE REALIGNMENT AND CLOSURE ACTIVITIES FUNDED THROUGH DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2017, for base realignment and closure activities, including real property acquisition and military construction projects, as authorized by the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) and funded through the Department of Defense Base Closure Account established by section 2906 of such Act (as amended by section 2711 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2140)), as specified in the funding table in section 4601.

Subtitle B—Defense Force and Infrastructure Review and Recommendations

SEC. 2711. SHORT TITLE; PURPOSE.

(a) SHORT TITLE.—This subtitle may be cited as the ''Defense Force and Infrastructure Review Act of 2017''.

(b) PURPOSE.—The purpose of this subtitle is to provide a fair and transparent process that will result in the credible analysis of infrastructure requirements and recommendations for military infrastructure.

SEC. 2712. PROCEDURE FOR MAKING RECOMMENDATIONS FOR INFRASTRUCTURE CLOSURES AND REALIGNMENTS.

(a) FORCE-STRUCTURE PLAN AND INFRASTRUCTURE INVENTORY.—(1) As part of the budget justification documents submitted to Congress in support of the budget for the Department of Defense for fiscal year 2019, the Secretary shall submit to Congress the following:

(A)(i) Subject to clause (ii), a force-structure plan for the Armed Forces based on the

most recent National Military Strategy, an assessment by the Secretary of the probable threats to the national security during the 20-year period beginning with that fiscal year, the probable end-strength levels and major military force units (including land force divisions, carrier and other major combatant vessels, air wings, and other comparable units) needed to meet those threats, and the anticipated levels of funding that will be available for national defense purposes during such period.

(ii) The force structure described in the force-structure plan under clause (i) shall contain, at a minimum, a Navy of 355 ships, an Air Force of 1500 combat coded aircraft, an Army of 60 brigade combat teams, and a Marine Corps of three Marine expeditionary forces, together with all enabling and supporting elements.

(B) A comprehensive inventory of military installations world-wide for each military department, with specifications of the number and type of facilities in the active and reserve forces of each military department.

(2) Using the most recent National Military Strategy and the force-structure plan and infrastructure inventory prepared under paragraph (1), the Secretary shall prepare (and include as part of the submission of such plan and inventory) the following:

(A) A description of the infrastructure necessary to support the force structure described in the force-structure plan.

(B) A discussion of categories of excess infrastructure and infrastructure capacity within the United States and the target of the Secretary for the reduction of such excess capacity.

(C) An economic analysis of the effect of the closure or realignment of military installations to reduce excess infrastructure.

(3) In determining the level of necessary versus excess infrastructure under paragraph (2), the Secretary shall consider the following:

(A) The anticipated continuing need for and availability of military installations outside the United States, taking into account current restrictions on the use of military installations outside the United States and the potential for future prohibitions or restrictions on the use of such military installations.

(B) Any efficiencies that may be gained from joint tenancy by more than one branch of the Armed Forces at a military installation.

(4) The Secretary may revise the force-structure plan and infrastructure inventory prepared under paragraph (1). If the Secretary makes such a revision, the Secretary shall submit the revised plan or inventory to Congress not later than September 15, 2018. For purposes of selecting military installations for closure or realignment under this subtitle, no revision of the force-structure plan or infrastructure inventory is authorized after September 15, 2018.

(b) CERTIFICATION OF NEED FOR FURTHER CLOSURES AND REALIGNMENTS.—(1) On the basis of the force-structure plan and infrastructure inventory prepared under subsection (a) and the descriptions and economic analysis prepared under such subsection, the Secretary shall include as part of the submission of the plan and inventory—

(A) a certification regarding whether the need exists for the closure or realignment of additional military installations; and

(B) if such need exists, a certification that the additional round of closures and realignments would result in substantial annual net savings for the Department of Defense following the completion of such closures and realignments.

(2) If the Secretary does not include the certifications referred to in paragraph (1) as part of the submission of the force-structure plan and infrastructure inventory prepared under subsection (a), the President may not commence a round for the selection of military installations for closure and realignment under this subtitle in the year following submission of the force-structure plan and infrastructure inventory.

(c) COMPTROLLER GENERAL EVALUATION.—(1) If the certification is provided under subsection (b), the Comptroller General of the United States shall prepare an evaluation of the following:

(A) The force-structure plan and infrastructure inventory prepared under subsection (a) and the final selection criteria specified in subsection (d), including an evaluation of the accuracy and analytical sufficiency of such plan, inventory, and criteria.

(B) The need for the closure or realignment of additional military installations.

(2) The Comptroller General shall submit to Congress the evaluation prepared under paragraph (1) not later than 60 days after the date on which the force-structure plan and infrastructure inventory are submitted to Congress.

(d) FINAL SELECTION CRITERIA.—(1) The final criteria to be used by the Secretary in making recommendations for the closure or realignment of military installations in the United States under this subtitle shall be the military value criteria specified in paragraph (2) and other criteria specified in paragraph (3).

(2) The military value criteria specified in this paragraph are as follows:

(A) The current and future mission capabilities and the impact on operational readiness of the total force of the Department of Defense, including the impact on joint warfighting, training, and readiness.

(B) The availability and condition of land, facilities, and associated airspace (including training areas suitable for maneuver by ground, naval, or air forces throughout a diversity of climate and terrain areas and staging areas for the use of the Armed Forces in homeland defense missions) at both existing and potential receiving locations.

(C) The ability to accommodate contingency, mobilization, surge, and future total force requirements at both existing and potential receiving locations to support operations and training.

(D) The cost of operations and the manpower implications.

(E) The strategic impact of the location of an installation on operational plans, contingency plans, and missions of the combatant commands.

(3)(A) The other criteria that the Secretary shall use in making recommendations for the closure or realignment of military installations in the United States under this subtitle are as follows:

(i) The extent and timing of potential costs and savings, including the number of years, beginning with the date of completion of the closure or realignment, for the savings to exceed the costs.

(ii) The economic impact on existing communities in the vicinity of military installations.

(iii) The extent with which a closure or realignment contributes to the reduction of excess infrastructure and infrastructure capacity to meet the targeted reduction established by the Secretary as required by subsection (a)(2)(B).

(iv) The ability of the infrastructure of both the existing and potential receiving communities to support forces, missions, and personnel.

(v) The cost of mitigating the impact of any increases of such forces, missions, and personnel at receiving locations to maintain the level of service that exists prior to the closure or realignment.

(vi) The environmental impact, including the impact of costs related to potential environmental restoration, vulnerability adaptation, mitigation, waste management, and environmental compliance activities.

(B) When determining the costs associated with a closure or realignment under subparagraph (A)(i), the Secretary shall consider costs associated with military construction, information technology, environmental remediation, relocation of personnel, termination of public-private contracts, guarantees, and other factors contributing to the cost of a closure or realignment as determined by the Secretary.

(e) PRIORITY GIVEN TO MILITARY VALUE.—The Secretary shall give priority consideration to the military value criteria specified in subsection (d)(2) in the making of recommendations for the closure or realignment of military installations.

(f) EFFECT ON DEPARTMENT AND OTHER AGENCY COSTS.—Selection criteria relating to cost savings or return on investment from the proposed closure or realignment of military installations under this subtitle shall take into account the effect of the proposed closure or realignment on the costs of any other activity of the Department of Defense or any other Federal agency that may be required to assume responsibility for activities at the military installations.

(g) RELATION TO OTHER MATERIALS.—The final selection criteria specified in subsection (d) shall be the only criteria to be used, along with the force-structure plan and infrastructure inventory referred to in subsection (a), in making recommendations for the closure or realignment of military installations in the United States under this subtitle.

(h) DEPARTMENT OF DEFENSE RECOMMENDATIONS.—(1)(A) If the Secretary makes the certifications required under subsection (b), the Secretary shall, by not later than May 15, 2019, publish in the Federal Register—

(i) with respect to each military installation in the United States, unclassified assessment data of the current condition of facilities and infrastructure and an environmental baseline of known contamination and remediation activities at each such installation that will be used by the Secretary to develop closure and realignment recommendations; and

(ii) standard rules to be used by the Secretary to calculate annual recurring savings for manpower, base operating costs, utility costs, base closure guarantees, service-sharing agreements, and other installation support activities that the Secretary will use in the determination of the savings derived from closure and realignment of military installations.

(B) The Secretary shall provide a public comment period of 60 days to allow for a review of the data published under subparagraph (A) and an opportunity for the Secretary to correct the assessments to ensure accurate and reliable information is used for final closure and realignment recommendations.

(C) If the Secretary does not publish the data or standard rules under subparagraph (A) by May 15, 2019, the President shall not commence a round for the selection of military installations for closure and realignment under this subtitle.

(2)(A) If the Secretary makes the certifications required under subsection (b), the Secretary shall, by not later than October 15, 2019, publish in the Federal Register and transmit to the congressional defense committees a list of the military installations inside the United States that the Secretary recommends for closure or realignment on

the basis of the force-structure plan and infrastructure inventory prepared by the Secretary under subsection (a) and the final selection criteria specified in subsection (d).

(B) The closures and realignments included in the list published by the Secretary under subparagraph (A) may not have an estimated cost to implement that exceeds $5,000,000,000 as certified by the Director of Cost Analysis and Program Evaluation of the Department of Defense.

(C) At the same time as the transmittal of the list under subparagraph (A), the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a certification that—

(i) the recommendations included in such list will yield net savings to the Department of Defense within seven years of completing the closures and realignments included in such recommendations; and

(ii) no individual recommendation for closure or realignment is included in such list unless the closure or realignment demonstrates net savings to the Department within 10 years.

(D) Not later than seven days after the transmittal of the list of recommendations for closure and realignment under subparagraph (A), the Secretary shall submit to the congressional defense committees—

(i) a summary of the selection process that resulted in the recommendation for each installation, including a justification for each recommendation based on the final selection criteria under subsection (d); and

(ii) for each such recommendation, a master plan that contains a list of each facility action (including construction, development, conversion, or extension, and any acquisition of land necessary to produce a complete and usable facility or a complete and usable improvement to an existing facility) required to carry out the closure or realignment, including the scope of work, cost, and timing of each construction activity as documented in military construction project data justifications.

(E) With respect to each recommendation for closure or realignment of a military installation under subparagraph (A), the construction scope and cost data contained in the master plan under subparagraph (D)(ii) for such installation shall be deemed to be the authorization by law to carry out the construction activity as required under chapter 169 of title 10, United States Code.

(3)(A) In considering military installations for closure or realignment, the Secretary shall consider all military installations in the United States equally without regard to whether the installation has been previously considered or proposed for closure or realignment by the Department.

(B) In considering military installations for closure or realignment, the Secretary may not take into account for any purpose any advance conversion planning undertaken by an affected community with respect to the anticipated closure or realignment of an installation.

(C) For purposes of subparagraph (B), in the case of a community anticipating the economic effects of a closure or realignment of a military installation, advance conversion planning—

(i) shall include community adjustment and economic diversification planning undertaken by the community before an anticipated selection of a military installation in or near the community for closure or realignment; and

(ii) may include the development of contingency redevelopment plans, plans for economic development and diversification, and plans for the joint use (including civilian and military use, public and private use, civilian dual use, and civilian shared use) of the property or facilities of the installation after the anticipated closure or realignment.

(D) In making recommendations for closure or realignment of a military installation under subparagraph (A), the Secretary shall consider any notice received from a local government in the vicinity of a military installation that the government would approve of the closure or realignment of the installation.

(E) Notwithstanding the requirement in subparagraph (D), the Secretary shall make the recommendations referred to in that subparagraph based on the force-structure plan, infrastructure inventory, and final selection criteria otherwise applicable to such recommendations.

(F) The recommendations shall include a statement of the result of the consideration of any notice described in subparagraph (D) that is received with respect to a military installation covered by such recommendations. The statement shall set forth the reasons for the result.

(G) For each closure recommendation, and based on an assessment of the extent of economic impact to local communities supporting the military installation to be closed, the Secretary shall determine and propose an amount to be provided to the local redevelopment agency within a year of the final decision to close the installation to be used to accelerate local redevelopment activities.

(4)(A) In addition to making all information used by the Secretary to prepare the recommendations under this subsection available to Congress (including any committee or member of Congress), the Secretary shall also make such information available to the Comptroller General of the United States.

(B) The Comptroller General shall analyze the information made available to the Comptroller General under subparagraph (A) for each recommendation (including information provided by local communities) and submit any recommendations of the Comptroller General to Congress for consideration.

(5)(A) Each person referred to in subparagraph (B), when submitting information to the Secretary of Defense concerning the closure or realignment of a military installation, shall certify that such information is accurate and complete to the best of that person's knowledge and belief.

(B) Subparagraph (A) applies to the following persons:

(i) The Secretaries of the military departments.

(ii) The heads of the Defense Agencies.

(iii) Each person who is in a position the duties of which include personal and substantial involvement in the preparation and submission of information and recommendations concerning the closure or realignment of military installations, as designated in regulations that the Secretary of Defense shall prescribe, regulations that the Secretary of each military department shall prescribe for personnel within that military department, or regulations that the head of each Defense Agency shall prescribe for personnel within that Defense Agency.

(6) Any information provided to the Secretary of Defense by a person described in paragraph (5)(B), regardless of the method of transmission, shall be made available for the public record and submitted in written form to the Senate and the House of Representatives to be made available to the Members of the House concerned in accordance with the rules of that House. The information shall be submitted to the Senate and House of Representatives within 48 hours after the submission of the information to the Secretary.

(7) No military installation may be recommended for inactive status under this subsection unless the Secretary certifies that its use for future mobilization is essential to meet operational plans.

(8) The Secretary shall analyze and, to the extent the Secretary considers appropriate, recommend the realignment and closure of military installations outside the United States.

(9) Not later than October 31, 2019, the Secretary shall submit to the President a report containing a list of the military installations that the Secretary recommends for closure or realignment under this subsection, including recommendations regarding military installations outside the United States under paragraph (8).

(i) REVIEW BY THE PRESIDENT.—(1) The President shall, by not later than November 15, 2019, transmit to Congress a report containing the President's approval or disapproval of the recommendations of the Secretary under subsection (h).

(2) If the President approves all of the recommendations of the Secretary, the President shall transmit a copy of such recommendations to Congress, together with a certification of such approval.

(3) If the President disapproves of the recommendations of the Secretary, in whole or in part, the President shall transmit to Congress the reasons for that disapproval. The Secretary shall then transmit to the President, by not later than December 1, 2019, a revised list of recommendations for the closure and realignment of military installations.

(4) If the President approves all of the revised recommendations of the Secretary transmitted to the President under paragraph (3), the President shall transmit a copy of such revised recommendations to Congress, together with a certification of such approval.

(5) If the President does not transmit to Congress an approval and certification described in paragraph (2) or (4) by December 2, 2019, the process by which military installations may be selected for closure or realignment under this subtitle shall be terminated.

SEC. 2713. CLOSURE AND REALIGNMENT OF MILITARY INSTALLATIONS.

(a) IN GENERAL.—The Secretary shall—

(1) close all military installations recommended for closure in the report transmitted to Congress by the President pursuant to section 2712(i) and approved under subsection (b);

(2) realign all military installations recommended for realignment in such report and approved under such subsection;

(3) carry out the privatization in place of a military installation recommended for closure or realignment in such report and approved under such subsection only if privatization in place is a method of closure or realignment of the military installation specified in the recommendations in such report and is determined by the Secretary to be the most cost-effective method of implementation of the recommendation;

(4) carry out the construction activities contained in the master plan for the military installation as required under section 2712(h)(2)(D)(ii);

(5) initiate all such closures and realignments not later than two years after the date on which the President transmits the report to Congress pursuant to section 2712(i) containing the recommendations for such closures or realignments; and

(6) complete all such closures and realignments not later than the end of the five-year period beginning on the date on which the President transmits the report pursuant to section 2712(i) containing the recommendations for such closures or realignments.

(b) CONGRESSIONAL APPROVAL.—The Secretary may not carry out a closure or realignment recommended in the report transmitted by the President pursuant to section 2712(i) unless a joint resolution is enacted approving that closure or realignment.

SEC. 2714. IMPLEMENTATION AND ANALYSIS.

(a) USE IN MAKING ASSESSMENTS AND RECOMMENDATIONS.—In making assessments and recommendations under section 2712, the Secretary shall analyze the requirements and authorities under this section and consider all of the actions to be taken under this section with respect to closing or realigning a military installation under this subtitle.

(b) IMPLEMENTATION.—(1) In closing or realigning any military installation under this subtitle, the Secretary may—

(A) take such actions as may be necessary to close or realign any military installation, including the acquisition of such land, the construction of such replacement facilities, the performance of such activities, and the conduct of such advance planning and design as may be required to transfer functions from a military installation being closed or realigned to another military installation, and may use for such purpose funds in the Account or funds appropriated to the Department of Defense for use in planning and design, minor construction, or operation and maintenance;

(B)(i) provide—

(I) economic adjustment assistance to any community located near a military installation being closed or realigned, and

(II) community planning assistance to any community located near a military installation to which functions will be transferred as a result of the closure or realignment of a military installation,

if the Secretary of Defense determines that the financial resources available to the community (by grant or otherwise) for such purposes are inadequate, and may use for such purposes funds in the Account or funds appropriated to the Department of Defense for economic adjustment assistance or community planning assistance;

(C) carry out activities for the purposes of environmental restoration and mitigation at any such installation, and shall use for such purposes funds in the Account;

(D) provide outplacement assistance to civilian employees employed by the Department of Defense at military installations being closed or realigned, and may use for such purpose funds in the Account or funds appropriated to the Department of Defense for outplacement assistance to employees; and

(E) reimburse other Federal agencies for actions performed at the request of the Secretary with respect to any such closure or realignment, and may use for such purpose funds in the Account or funds appropriated to the Department of Defense and available for such purpose.

(2) In carrying out any closure or realignment under this subtitle, the Secretary shall ensure that environmental restoration of any property made excess to the needs of the Department of Defense as a result of such closure or realignment be carried out as soon as possible with funds available for such purpose.

(c) MANAGEMENT AND DISPOSAL OF PROPERTY.—(1) The Administrator of General Services shall delegate to the Secretary of Defense, with respect to excess and surplus real property, facilities, and personal property located at a military installation closed or realigned under this subtitle—

(A) the authority of the Administrator to utilize excess property under subchapter II of chapter 5 of title 40, United States Code;

(B) the authority of the Administrator to dispose of surplus property under subchapter III of chapter 5 of title 40, United States Code;

(C) the authority to dispose of surplus property for public airports under sections 47151 through 47153 of title 49, United States Code; and

(D) the authority of the Administrator to determine the availability of excess or surplus real property for wildlife conservation purposes in accordance with the Act of May 19, 1948 (16 U.S.C. 667b et seq.).

(2)(A) Subject to subparagraph (B) and paragraphs (3), (4), (5), and (6), the Secretary of Defense shall exercise the authority delegated to the Secretary pursuant to paragraph (1) in accordance with all regulations governing the utilization of excess property and the disposal of surplus property under subtitle I of title 40, United States Code.

(B) The Secretary may, with the concurrence of the Administrator of General Services—

(i) prescribe general policies and methods for utilizing excess property and disposing of surplus property pursuant to the authority delegated under paragraph (1); and

(ii) issue regulations relating to such policies and methods, which shall supersede the regulations referred to in subparagraph (A) with respect to that authority.

(C) The Secretary of Defense may transfer real property or facilities located at a military installation to be closed or realigned under this subtitle, with or without reimbursement, to a military department or other entity (including a nonappropriated fund instrumentality) within the Department of Defense or the Coast Guard.

(D) Before any action may be taken with respect to the disposal of any surplus real property or facility located at any military installation to be closed or realigned under this subtitle, the Secretary of Defense shall consult with the Governor of the State and the heads of the local governments concerned for the purpose of considering any plan for the use of such property by the local community concerned.

(E) If a military installation to be closed, realigned, or placed in an inactive status under this subtitle includes a road used for public access through, into, or around the installation, the Secretary of Defense shall consult with the Governor of the State and the heads of the local governments concerned for the purpose of considering the continued availability of the road for public use after the installation is closed, realigned, or placed in an inactive status.

(3)(A) Not later than 180 days after the date of approval of the closure or realignment of a military installation under this subtitle, the Secretary, in consultation with the redevelopment authority with respect to the installation, shall—

(i) inventory the personal property located at the installation; and

(ii) identify the items (or categories of items) of such personal property that the Secretary determines to be related to real property and anticipates will support the implementation of the redevelopment plan with respect to the installation.

(B) If no redevelopment authority referred to in subparagraph (A) exists with respect to an installation, the Secretary shall consult with—

(i) the local government in whose jurisdiction the installation is wholly located; or

(ii) a local government agency or State government agency designated for the purpose of such consultation by the chief executive officer of the State in which the installation is located.

(C)(i) Except as provided in subparagraphs (E) and (F), the Secretary may not carry out any of the activities specified in clause (ii) with respect to an installation referred to in that clause until the earlier of—

(I) one week after the date on which the redevelopment plan for the installation is submitted to the Secretary;

(II) the date on which the redevelopment authority notifies the Secretary that it will not submit such a plan;

(III) two years after the date of approval of the closure or realignment of the installation; or

(IV) 90 days before the date of the closure or realignment of the installation.

(ii) The activities specified in this clause are activities relating to the closure or realignment of an installation to be closed or realigned under this subtitle as follows:

(I) The transfer from the installation of items of personal property at the installation identified in accordance with subparagraph (A).

(II) The reduction in maintenance and repair of facilities or equipment located at the installation below the minimum levels required to support the use of such facilities or equipment for nonmilitary purposes.

(D) Except as provided in paragraph (4), the Secretary may not transfer items of personal property located at an installation to be closed or realigned under this subtitle to another installation, or dispose of such items, if such items are identified in the redevelopment plan for the installation as items essential to the reuse or redevelopment of the installation. In connection with the development of the redevelopment plan for the installation, the Secretary shall consult with the entity responsible for developing the redevelopment plan to identify the items of personal property located at the installation, if any, that the entity desires to be retained at the installation for reuse or redevelopment of the installation.

(E) This paragraph shall not apply to any personal property located at an installation to be closed or realigned under this subtitle if the property—

(i) is required for the operation of a unit, function, component, weapon, or weapons system at another installation;

(ii) is uniquely military in character, and is likely to have no civilian use (other than use for its material content or as a source of commonly used components);

(iii) is not required for the reutilization or redevelopment of the installation (as jointly determined by the Secretary and the redevelopment authority);

(iv) is stored at the installation for purposes of distribution (including spare parts or stock items); or

(v)(I) meets known requirements of an authorized program of another Federal agency for which expenditures for similar property would be necessary; and

(II) is the subject of a written request by the head of the agency.

(F) Notwithstanding subparagraphs (C)(i) and (D), the Secretary may carry out any activity referred to in subparagraph (C)(ii) or (D) if the Secretary determines that the carrying out of such activity is in the national security interest of the United States.

(4)(A) The Secretary may transfer real property and personal property located at a military installation to be closed or realigned under this subtitle to the redevelopment authority with respect to the installation for purposes of job generation on the installation.

(B) The transfer of property located at a military installation under subparagraph (A) may be for consideration at or below the estimated fair market value or without consideration. The determination of such consideration may account for the economic conditions of the local affected community and the estimated costs to redevelop the property. The Secretary may accept, as consideration, a share of the revenues that the redevelopment authority receives from third-

party buyers or lessees from sales and long-term leases of the conveyed property, a portion of the profits obtained over time from the development of the conveyed property, consideration in kind (including goods and services), real property and improvements, or such other consideration as the Secretary considers appropriate. The transfer of property located at a military installation under subparagraph (A) may be made for consideration below the estimated fair market value or without consideration only if the redevelopment authority with respect to the installation—

(i) agrees that the proceeds from any sale or lease of the property (or any portion thereof) received by the redevelopment authority during at least the first seven years after the date of the initial transfer of property under subparagraph (A) shall be used to support the economic redevelopment of, or related to, the installation; and

(ii) executes the agreement for transfer of the property and accepts control of the property within a reasonable time after the date of the property disposal record of decision or finding of no significant impact under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(C) For purposes of subparagraph (B)(i), the use of proceeds from a sale or lease described in such subparagraph to pay for, or offset the costs of, public investment on or related to the installation for any of the following purposes shall be considered a use to support the economic redevelopment of, or related to, the installation:

(i) Road construction.

(ii) Transportation management facilities.

(iii) Storm and sanitary sewer construction.

(iv) Police and fire protection facilities and other public facilities.

(v) Utility construction.

(vi) Building rehabilitation.

(vii) Historic property preservation.

(viii) Pollution prevention equipment or facilities.

(ix) Demolition.

(x) Disposal of hazardous materials generated by demolition.

(xi) Landscaping, grading, and other site or public improvements.

(xii) Planning for or the marketing of the development and reuse of the installation.

(xiii) Adaptation for and mitigation of natural disasters.

(D) The Secretary may recoup from a redevelopment authority such portion of the proceeds from a sale or lease described in subparagraph (B) as the Secretary determines appropriate if the redevelopment authority does not use the proceeds to support economic redevelopment of, or related to, the installation for the period specified in subparagraph (B).

(E)(i) The Secretary may transfer real property at an installation approved for closure or realignment under this subtitle (including property at an installation approved for realignment which will be retained by the Department of Defense or another Federal agency after realignment) to the redevelopment authority for the installation if the redevelopment authority agrees to lease, directly upon transfer, one or more portions of the property transferred under this subparagraph to the Secretary or to the head of another Federal agency. Subparagraph (B) shall apply to a transfer under this subparagraph.

(ii) A lease under clause (i) shall be for a term not to exceed 50 years, but may provide for options for renewal or extension of the term by the agency concerned.

(iii) A lease under clause (i) may not require rental payments by the United States.

(iv) A lease under clause (i) shall include a provision specifying that if the agency concerned ceases requiring the use of the leased property before the expiration of the term of the lease, the remainder of the lease term may be satisfied by the same or another Federal agency using the property for a use similar to the use under the lease. Exercise of the authority provided by this clause shall be made in consultation with the redevelopment authority concerned.

(v) Notwithstanding clause (iii), if a lease under clause (i) involves a substantial portion of the installation, the agency concerned may obtain facility services for the leased property and common area maintenance from the redevelopment authority or the redevelopment authority's assignee as a provision of the lease. The facility services and common area maintenance shall be provided at a rate no higher than the rate charged to non-Federal tenants of the transferred property. Facility services and common area maintenance covered by the lease shall not include—

(I) municipal services that a State or local government is required by law to provide to all landowners in its jurisdiction without direct charge; or

(II) firefighting or security-guard functions.

(F) The transfer of personal property under subparagraph (A) shall not be subject to the provisions of subchapters II and III of chapter 5 of title 40, United States Code, if the Secretary determines that the transfer of such property is necessary for the effective implementation of a redevelopment plan with respect to the installation at which such property is located.

(G) The provisions of section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)) shall apply to any transfer of real property under this paragraph.

(H) The Secretary may require any additional terms and conditions in connection with a transfer under this paragraph as the Secretary considers appropriate to protect the interests of the United States.

(5)(A) Except as provided in subparagraphs (B) and (C), the Secretary shall take such actions as the Secretary determines necessary to ensure that final determinations under paragraph (1) regarding whether another Federal agency has identified a use for any portion of a military installation to be closed or realigned under this subtitle, or will accept transfer of any portion of such installation, are made not later than 180 days after the date of approval of closure or realignment of that installation.

(B) The Secretary may, in consultation with the redevelopment authority with respect to an installation, postpone making the final determinations referred to in subparagraph (A) with respect to the installation for such period as the Secretary determines appropriate if the Secretary determines that such postponement is in the best interests of the communities affected by the closure or realignment of the installation.

(C)(i) Before acquiring non-Federal real property as the location for a new or replacement Federal facility of any type, the head of the Federal agency acquiring the property shall consult with the Secretary regarding the feasibility and cost advantages of using Federal property or facilities at a military installation closed or realigned or to be closed or realigned under this subtitle as the location for the new or replacement facility. In considering the availability and suitability of a specific military installation, the Secretary and the head of the Federal agency involved shall obtain the concurrence of the redevelopment authority with respect to the installation and comply with the redevelopment plan for the installation.

(ii) Not later than 30 days after acquiring non-Federal real property as the location for a new or replacement Federal facility, the head of the Federal agency acquiring the property shall submit to Congress a report containing the results of the consultation under clause (i) and the reasons why military installations referred to in such clause that are located within the area to be served by the new or replacement Federal facility or within a 200-mile radius of the new or replacement facility, whichever area is greater, were considered to be unsuitable or unavailable for the site of the new or replacement facility.

(6)(A) The disposal of buildings and property located at installations approved for closure or realignment under this subtitle shall be carried out in accordance with this paragraph.

(B)(i) Not later than the date on which the Secretary of Defense completes the final determinations referred to in paragraph (5) relating to the use or transferability of any portion of an installation covered by this paragraph, the Secretary shall—

(I) identify the buildings and property at the installation for which the Department of Defense has a use, for which another Federal agency has identified a use, or of which another Federal agency will accept a transfer;

(II) take such actions as are necessary to identify any building or property at the installation not identified under subclause (I) that is excess property or surplus property;

(III) submit to the Secretary of Housing and Urban Development and to the redevelopment authority for the installation (or the chief executive officer of the State in which the installation is located if there is no redevelopment authority for the installation at the completion of such final determinations) information on any building or property that is identified under subclause (II); and

(IV) publish in the Federal Register and in a newspaper of general circulation in the communities in the vicinity of the installation information on the buildings and property identified under subclause (II).

(ii) Upon the recognition of a redevelopment authority for an installation covered by this paragraph, the Secretary of Defense shall publish in the Federal Register and in a newspaper of general circulation in the communities in the vicinity of the installation information on the redevelopment authority.

(C)(i) State and local governments, representatives of the homeless, and other interested parties located in the communities in the vicinity of an installation covered by this paragraph shall submit to the redevelopment authority for the installation a notice of the interest, if any, of such governments, representatives, and parties in the buildings or property, or any portion thereof, at the installation that are identified under subparagraph (B)(i)(II). A notice of interest under this clause shall describe the need of the government, representative, or party concerned for the buildings or property covered by the notice.

(ii) The redevelopment authority for an installation shall assist the governments, representatives, and parties referred to in clause (i) in evaluating buildings and property at the installation for purposes of this subparagraph.

(iii) In providing assistance under clause (ii), a redevelopment authority shall—

(I) consult with representatives of the homeless in the communities in the vicinity of the installation concerned; and

(II) undertake outreach efforts to provide information on the buildings and property to representatives of the homeless, and to other persons or entities interested in assisting the homeless, in such communities.

(iv) It is the sense of Congress that redevelopment authorities should begin to conduct

outreach efforts under clause (iii)(II) with respect to an installation as soon as practicable after the date of approval of closure or realignment of the installation.

(D)(i) State and local governments, representatives of the homeless, and other interested parties shall submit a notice of interest to a redevelopment authority under subparagraph (C) not later than the date specified for such notice by the redevelopment authority.

(ii) The date specified under clause (i) shall be—

(I) in the case of an installation for which a redevelopment authority has been recognized as of the date of the completion of the determinations referred to in paragraph (5), not earlier than 90 days and not later than 180 days after the date of publication of such determination in a newspaper of general circulation in the communities in the vicinity of the installation under subparagraph (B)(i)(IV); and

(II) in the case of an installation for which a redevelopment authority is not recognized as of such date, not earlier than 90 days and not later than 180 days after the date of the recognition of a redevelopment authority for the installation.

(iii) Upon specifying a date for an installation under this subparagraph, the redevelopment authority for the installation shall—

(I) publish the date specified in a newspaper of general circulation in the communities in the vicinity of the installation concerned; and

(II) notify the Secretary of Defense of the date.

(E)(i) In submitting to a redevelopment authority under subparagraph (C) a notice of interest in the use of buildings or property at an installation to assist the homeless, a representative of the homeless shall submit the following:

(I) A description of the homeless assistance program that the representative proposes to carry out at the installation.

(II) An assessment of the need for the program.

(III) A description of the extent to which the program is or will be coordinated with other homeless assistance programs in the communities in the vicinity of the installation.

(IV) A list of the buildings and property to be used for the program at the installation and a justification for why such buildings and property are necessary to carry out the program.

(V) A description of the financial plan, the organization, and the organizational capacity of the representative to carry out the program.

(VI) An assessment of the time required in order to commence carrying out the program.

(ii) A redevelopment authority may not release to the public any information submitted to the redevelopment authority under clause (i)(V) without the consent of the representative of the homeless concerned unless such release is authorized under Federal law and under the law of the State and communities in which the installation concerned is located.

(iii) If a redevelopment authority does not receive a notice of interest in accordance with clause (i), the requirements set forth in subparagraph (H) are not applicable.

(F)(i) The redevelopment authority for each installation covered by this paragraph shall prepare a redevelopment plan for the installation. The redevelopment authority shall, in preparing the plan, consider the interests in the use to assist the homeless of the buildings and property at the installation that are expressed in the notices submitted to the redevelopment authority under subparagraph (C).

(ii)(I) In connection with a redevelopment plan for an installation, a redevelopment authority and representatives of the homeless shall prepare legally binding agreements that provide for the use to assist the homeless of buildings and property, resources, and assistance on or off the installation. The implementation of such agreements shall be contingent upon the decision regarding the disposal of the buildings and property covered by the agreements by the Secretary of Defense under subparagraph (K) or (L).

(II) Agreements under this clause shall provide for the reversion to the redevelopment authority concerned, or to such other entity or entities as the agreements shall provide, of buildings and property that are made available under this paragraph for use to assist the homeless in the event that such buildings and property cease being used for that purpose.

(iii) A redevelopment authority shall provide opportunity for public comment on a redevelopment plan before submission of the plan to the Secretary of Defense and the Secretary of Housing and Urban Development under subparagraph (G).

(iv) A redevelopment authority shall complete preparation of a redevelopment plan for an installation and submit the plan under subparagraph (G) not later than 270 days after the date specified by the redevelopment authority for the installation under subparagraph (D).

(G)(i) Upon completion of a redevelopment plan under subparagraph (F), a redevelopment authority shall submit an application containing the plan to the Secretary of Defense and the Secretary of Housing and Urban Development.

(ii) A redevelopment authority shall include in an application under clause (i) the following:

(I) A copy of the redevelopment plan, including a summary of any public comments on the plan received by the redevelopment authority under subparagraph (F)(iii).

(II) A copy of each notice of interest of use of buildings and property to assist the homeless that was submitted to the redevelopment authority under subparagraph (C), together with a description of the manner, if any, in which the plan addresses the interest expressed in each such notice and, if the plan does not address such an interest, an explanation why the plan does not address the interest.

(III) A summary of the outreach undertaken by the redevelopment authority under subparagraph (C)(iii)(II) in preparing the plan.

(IV) A statement identifying the representatives of the homeless and the homeless assistance planning boards, if any, with which the redevelopment authority consulted in preparing the plan, and the results of such consultations.

(V) An assessment of the manner in which the redevelopment plan balances the expressed needs of the homeless and the need of the communities in the vicinity of the installation for economic redevelopment and other development.

(VI) Copies of the agreements that the redevelopment authority proposes to enter into under subparagraph (F)(ii).

(H)(i) Except as provided in subparagraph (E)(iii), not later than 60 days after receiving a redevelopment plan under subparagraph (G), the Secretary of Housing and Urban Development shall complete a review of the plan. The purpose of the review is to determine whether the plan, with respect to the expressed interest and requests of representatives of the homeless—

(I) takes into consideration the size and nature of the homeless population in the communities in the vicinity of the installation, the availability of existing services in such communities to meet the needs of the homeless in such communities, and the suitability of the buildings and property covered by the plan for the use and needs of the homeless in such communities;

(II) takes into consideration any economic impact of the homeless assistance under the plan on the communities in the vicinity of the installation;

(III) balances in an appropriate manner the needs of the communities in the vicinity of the installation for economic redevelopment and other development with the needs of the homeless in such communities;

(IV) was developed in consultation with representatives of the homeless and the homeless assistance planning boards, if any, in the communities in the vicinity of the installation; and

(V) specifies the manner in which buildings and property, resources, and assistance on or off the installation will be made available for homeless assistance purposes.

(ii) It is the sense of Congress that the Secretary of Housing and Urban Development shall, in completing the review of a plan under this subparagraph, take into consideration and be receptive to the predominant views on the plan of the communities in the vicinity of the installation covered by the plan.

(iii) The Secretary of Housing and Urban Development may engage in negotiations and consultations with a redevelopment authority before or during the course of a review under clause (i) with a view toward resolving any preliminary determination of the Secretary that a redevelopment plan does not meet a requirement set forth in that clause. The redevelopment authority may modify the redevelopment plan as a result of such negotiations and consultations.

(iv)(I) Upon completion of a review of a redevelopment plan under clause (i), the Secretary of Housing and Urban Development shall notify the Secretary of Defense and the redevelopment authority concerned of the determination of the Secretary of Housing and Urban Development under that clause.

(II) If the Secretary of Defense and the redevelopment authority concerned do not receive the notice required by subclause (I) with respect to a military installation within the period required by clause (i), the Secretary of Defense shall dispose of the buildings and property at the installation.

(v) If the Secretary of Housing and Urban Development determines as a result of a review under clause (iv) that a redevelopment plan does not meet the requirements set forth in clause (i), a notice under clause (iv) shall include—

(I) an explanation of that determination; and

(II) a statement of the actions that the redevelopment authority must undertake in order to address that determination.

(I)(i) Upon receipt of a notice under subparagraph (H)(iv) of a determination that a redevelopment plan does not meet a requirement set forth in subparagraph (H)(i), a redevelopment authority shall have the opportunity to—

(I) revise the plan in order to address the determination; and

(II) submit the revised plan to the Secretary of Defense and the Secretary of Housing and Urban Development.

(ii) A redevelopment authority shall submit a revised plan under this subparagraph to such Secretaries, if at all, not later than 90 days after the date on which the redevelopment authority receives the notice referred to in clause (i).

(J)(i) Not later than 30 days after receiving a revised redevelopment plan under subparagraph (I), the Secretary of Housing and

Urban Development shall review the revised plan and determine if the plan meets the requirements set forth in subparagraph (H)(i).

(ii)(I) The Secretary of Housing and Urban Development shall notify the Secretary of Defense and the redevelopment authority concerned of the determination of the Secretary of Housing and Urban Development under this subparagraph.

(II) If the Secretary of Defense and the redevelopment authority concerned do not receive the notice required by subclause (I) with respect to a military installation within the period required by clause (i), the Secretary of Defense shall dispose of the buildings and property at the installation.

(K)(i) Upon receipt of a notice under subparagraph (H)(iv) or (J)(ii) of the determination of the Secretary of Housing and Urban Development that a redevelopment plan for an installation meets the requirements set forth in subparagraph (H)(i), the Secretary of Defense shall dispose of the buildings and property at the installation.

(ii) For purposes of carrying out an environmental assessment of the closure or realignment of an installation, the Secretary of Defense shall treat the redevelopment plan for the installation (including the aspects of the plan providing for disposal to State or local governments, representatives of the homeless, and other interested parties) as part of the proposed Federal action for the installation.

(iii) The Secretary of Defense shall dispose of buildings and property under clause (i) in accordance with the record of decision or other decision document prepared by the Secretary in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.). In preparing the record of decision or other decision document, the Secretary shall give substantial deference to the redevelopment plan concerned.

(iv) The disposal under clause (i) of buildings and property to assist the homeless shall be without consideration.

(v) In the case of a request for a conveyance under clause (i) of buildings and property for public benefit under section 550 of title 40, United States Code, or sections 47151 through 47153 of title 49, United States Code, the sponsoring Federal agency shall use the eligibility criteria set forth in such section or subchapter II of chapter 471 of title 49, United States Code (as the case may be) to determine the eligibility of the applicant and use proposed in the request for the public benefit conveyance. The determination of such eligibility should be made before submission of the redevelopment plan concerned under subparagraph (G).

(L)(i) If the Secretary of Housing and Urban Development determines under subparagraph (J) that a revised redevelopment plan for an installation does not meet the requirements set forth in subparagraph (H)(i), or if no revised plan is so submitted, that Secretary shall—

(I) review the original redevelopment plan submitted to that Secretary under subparagraph (G), including the notice or notices of representatives of the homeless referred to in clause (ii)(II) of that subparagraph;

(II) consult with the representatives referred to in subclause (I), if any, for purposes of evaluating the continuing interest of such representatives in the use of buildings or property at the installation to assist the homeless;

(III) request that each such representative submit to that Secretary the items described in clause (ii); and

(IV) based on the actions of that Secretary under subclauses (I) and (II), and on any information obtained by that Secretary as a result of such actions, indicate to the Secretary of Defense the buildings and property at the installation that meet the requirements set forth in subparagraph (H)(i).

(ii) The Secretary of Housing and Urban Development may request under clause (i)(III) that a representative of the homeless submit to that Secretary the following:

(I) A description of the program of such representative to assist the homeless.

(II) A description of the manner in which the buildings and property that the representative proposes to use for such purpose will assist the homeless.

(III) Such information as that Secretary requires in order to determine the financial capacity of the representative to carry out the program and to ensure that the program will be carried out in compliance with Federal environmental law and Federal law against discrimination.

(IV) A certification that police services, fire protection services, and water and sewer services available in the communities in the vicinity of the installation concerned are adequate for the program.

(iii) Not later than 30 days after the date of the receipt of a revised plan for an installation under subparagraph (J), the Secretary of Housing and Urban Development shall—

(I) notify the Secretary of Defense and the redevelopment authority concerned of the buildings and property at an installation under clause (i)(IV) that the Secretary of Housing and Urban Development determines are suitable for use to assist the homeless; and

(II) notify the Secretary of Defense of the extent to which the revised plan meets the criteria set forth in subparagraph (H)(i).

(iv)(I) Upon notice from the Secretary of Housing and Urban Development with respect to an installation under clause (iii), the Secretary of Defense shall dispose of buildings and property at the installation in consultation with the Secretary of Housing and Urban Development and the redevelopment authority concerned.

(II) For purposes of carrying out an environmental assessment of the closure or realignment of an installation, the Secretary of Defense shall treat the redevelopment plan submitted by the redevelopment authority for the installation (including the aspects of the plan providing for disposal to State or local governments, representatives of the homeless, and other interested parties) as part of the proposed Federal action for the installation. The Secretary of Defense shall incorporate the notification of the Secretary of Housing and Urban Development under clause (iii)(I) as part of the proposed Federal action for the installation only to the extent, if any, that the Secretary of Defense considers such incorporation to be appropriate and consistent with the best and highest use of the installation as a whole, taking into consideration the redevelopment plan submitted by the redevelopment authority.

(III) The Secretary of Defense shall dispose of buildings and property under subclause (I) in accordance with the record of decision or other decision document prepared by the Secretary in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.). In preparing the record of decision or other decision document, the Secretary shall give deference to the redevelopment plan submitted by the redevelopment authority for the installation.

(IV) The disposal under subclause (I) of buildings and property to assist the homeless shall be without consideration.

(V) In the case of a request for a conveyance under subclause (I) of buildings and property for public benefit under section 550 of title 40, United States Code, or sections 47151 through 47153 of title 49, United States Code, the sponsoring Federal agency shall use the eligibility criteria set forth in such section or subchapter II of chapter 471 of title 49, United States Code (as the case may be) to determine the eligibility of the applicant and use proposed in the request for the public benefit conveyance. The determination of such eligibility should be made before submission of the redevelopment plan concerned under subparagraph (G).

(VI) It is the sense of Congress that the Secretary of Defense and the redevelopment authority should work with State and local agencies to the maximum extent practicable to collaborate on environmental assessments to reduce redundancy of effort and to accelerate redevelopment actions.

(M)(i) In the event of the disposal of buildings and property of an installation pursuant to subparagraph (K) or (L), the redevelopment authority for the installation shall be responsible for the implementation of and compliance with agreements under the redevelopment plan described in that subparagraph for the installation.

(ii) If a building or property reverts to a redevelopment authority under such an agreement, the redevelopment authority shall take appropriate actions to secure, to the maximum extent practicable, the utilization of the building or property by other homeless representatives to assist the homeless. A redevelopment authority may not be required to utilize the building or property to assist the homeless.

(N) The Secretary of Defense may postpone or extend any deadline provided for under this paragraph in the case of an installation covered by this paragraph for such period as the Secretary considers appropriate if the Secretary determines that such postponement is in the interests of the communities affected by the closure or realignment of the installation. The Secretary shall make such determinations in consultation with the redevelopment authority concerned and, in the case of deadlines provided for under this paragraph with respect to the Secretary of Housing and Urban Development, in consultation with the Secretary of Housing and Urban Development.

(O) For purposes of this paragraph, the term ''communities in the vicinity of the installation'', in the case of an installation, means the communities that constitute the political jurisdictions (other than the State in which the installation is located) that comprise the redevelopment authority for the installation.

(P) For purposes of this paragraph, the term ''other interested parties'', in the case of an installation, includes any parties eligible for the conveyance of property of the installation under section 550 of title 40, United States Code, or sections 47151 through 47153 of title 49, United States Code, whether or not the parties assist the homeless.

(7)(A) Subject to subparagraph (C), the Secretary may enter into agreements (including contracts, cooperative agreements, or other arrangements for reimbursement) with local governments for the provision of police or security services, fire protection services, airfield operation services, or other community services by such governments at military installations to be closed under this subtitle, or at facilities not yet transferred or otherwise disposed of in the case of installations closed under this subtitle, if the Secretary determines that the provision of such services under such agreements is in the best interests of the Department of Defense.

(B) The Secretary may exercise the authority provided under this paragraph without regard to the provisions of chapter 146 of title 10, United States Code.

(C) The Secretary may not exercise the authority under subparagraph (A) with respect to an installation earlier than 180 days before the date on which the installation is to be closed.

(D) The Secretary shall include in a contract for services entered into with a local government under this paragraph a clause that requires the use of professionals to furnish the services to the extent that professionals are available in the area under the jurisdiction of such government.

(d) APPLICABILITY OF NATIONAL ENVIRONMENTAL POLICY ACT OF 1969.—(1) The provisions of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) shall not apply to the actions of the President and, except as provided in paragraph (2), the Department of Defense in carrying out this subtitle.

(2)(A) The provisions of the National Environmental Policy Act of 1969 shall apply to actions of the Department of Defense under this subtitle—

(i) during the process of property disposal; and

(ii) during the process of relocating functions from a military installation being closed or realigned to another military installation after the receiving installation has been selected but before the functions are relocated.

(B) In applying the provisions of the National Environmental Policy Act of 1969 to the processes referred to in subparagraph (A), the Secretary of Defense and the Secretary of the military departments concerned shall not have to consider—

(i) the need for closing or realigning the military installation that has been recommended for closure or realignment;

(ii) the need for transferring functions to any military installation that has been selected as the receiving installation; or

(iii) military installations alternative to those recommended or selected.

(3) A civil action for judicial review, with respect to any requirement of the National Environmental Policy Act of 1969 to the extent such Act is applicable under paragraph (2), of any act or failure to act by the Department of Defense during the closing, realigning, or relocating of functions referred to in clauses (i) and (ii) of paragraph (2)(A), may not be brought more than 60 days after the date of such act or failure to act.

(e) WAIVER.—The Secretary of Defense may close or realign military installations under this subtitle without regard to—

(1) any provision of law restricting the use of funds for closing or realigning military installations included in any appropriations or authorization Act; and

(2) sections 2662 and 2687 of title 10, United States Code.

(f) TRANSFER AUTHORITY IN CONNECTION WITH PAYMENT OF ENVIRONMENTAL REMEDIATION COSTS.—(1)(A) Subject to paragraph (2) of this subsection and section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)), the Secretary may enter into an agreement to transfer by deed real property or facilities referred to in subparagraph (B) with any person who agrees to perform all environmental restoration, waste management, and environmental compliance activities that are required for the property or facilities under Federal and State laws, administrative decisions, agreements (including schedules and milestones), and concurrences.

(B) The real property and facilities referred to in subparagraph (A) are the real property and facilities located at an installation closed or to be closed, or realigned or to be realigned, under this subtitle that are available exclusively for the use, or expression of an interest in a use, of a redevelopment authority under subsection (c)(6)(F) during the period provided for that use, or expression of interest in use, under that subsection. The real property and facilities referred to in subparagraph (A) are also the real property and facilities located at an installation approved for closure or realignment under this subtitle that are available for purposes other than to assist the homeless.

(C) The Secretary may require any additional terms and conditions in connection with an agreement authorized by subparagraph (A) as the Secretary considers appropriate to protect the interests of the United States.

(2) A transfer of real property or facilities may be made under paragraph (1) only if the Secretary certifies to Congress that—

(A) the costs of all environmental restoration, waste management, and environmental compliance activities otherwise to be paid by the Secretary with respect to the property or facilities are equal to or greater than the fair market value of the property or facilities to be transferred, as determined by the Secretary; or

(B) if such costs are lower than the fair market value of the property or facilities, the recipient of the property or facilities agrees to pay the difference between the fair market value and such costs.

(3) In the case of property or facilities covered by a certification under paragraph (2)(A), the Secretary may pay the recipient of such property or facilities an amount equal to the lesser of—

(A) the amount by which the costs incurred by the recipient of such property or facilities for all environmental restoration, waste, management, and environmental compliance activities with respect to such property or facilities exceed the fair market value of such property or facilities as specified in such certification; or

(B) the amount by which the costs (as determined by the Secretary) that would otherwise have been incurred by the Secretary for such restoration, management, and activities with respect to such property or facilities exceed the fair market value of such property or facilities as so specified.

(4) As part of an agreement under paragraph (1), the Secretary shall disclose to the person to whom the property or facilities will be transferred any information of the Secretary regarding the environmental restoration, waste management, and environmental compliance activities described in paragraph (1) that relate to the property or facilities. The Secretary shall provide such information before entering into the agreement.

(5) Nothing in this subsection shall be construed to modify, alter, or amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) or the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.).

(6) Section 330 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 10 U.S.C. 2687 note) shall not apply to any transfer under this subsection to persons or entities described in subsection (a)(2) of such section 330, except in the case of releases or threatened releases not disclosed pursuant to paragraph (4) of this subsection.

SEC. 2715. DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 2017.

(a) IN GENERAL.—(1) If a joint resolution is enacted under section 2713(b), there shall be established on the books of the Treasury an account to be known as the ''Department of Defense Base Closure Account 2017'' (in this section referred to as the ''Account''). The Account shall be administered by the Secretary as a single account.

(2) There shall be deposited into the Account—

(A) funds authorized for and appropriated to the Account;

(B) any funds that the Secretary may, subject to approval in an appropriation Act, transfer to the Account from funds appropriated to the Department of Defense for any purpose, except that such funds may be transferred only after the date on which the Secretary transmits written notice of, and justification for, such transfer to the congressional defense committees; and

(C) except as provided in subsection (d), proceeds received from the lease, transfer, or disposal of any property at a military installation that is closed or realigned under this subtitle.

(3) The Account shall be closed at the time and in the manner provided for appropriation accounts under section 1555 of title 31, United States Code. Unobligated funds that remain in the Account upon closure shall be held by the Secretary of the Treasury until transferred by law after the congressional defense committees receive the report transmitted under subsection (c)(2).

(b) USE OF FUNDS.—(1) The Secretary may use the funds in the Account only for the purposes described in section 2714 with respect to military installations approved for closure or realignment under this subtitle.

(2) When a decision is made to use funds in the Account to carry out a construction project under section 2714(a) at a military installation in support of a master plan for the military installation as required under section 2712(h)(2)(D)(ii), such construction project shall be conducted in accordance with the sections of chapter 169 of title 10, United States Code, applicable to such construction project.

(3)(A) In the case of construction projects carried out using funds in the Account that exceed the applicable minor construction threshold under section 2805 of title 10, United States Code, the Secretary may carry out such a project that has not been authorized by law if the Secretary determines that—

(i) the project is necessary for the Department to execute a closure or realignment action under this subtitle; and

(ii) the requirement for the project is so urgent that deferral of the project for authorization by law would pose a significant delay in proceeding with a realignment or closure action under this subtitle or is inconsistent with national security or the protection of health, safety, or environmental quality.

(B)(i) When a decision is made to carry out a construction project under subparagraph (A), the Secretary shall submit to the congressional defense committees in writing a report on that decision. Each such report shall include—

(I) a justification for the project and a current estimate of the cost of the project; and

(II) a justification for carrying out the project under this subtitle.

(ii) The Secretary may carry out a construction project under subparagraph (A) only after the end of the seven-day period beginning on the earlier of—

(I) the date on which the report under clause (i) relating to such project is received by the congressional defense committees; or

(II) the date on which a copy of such report is provided to such committees in an electronic medium pursuant to section 480 of title 10, United States Code.

(4) The maximum amount that the Secretary may obligate in any fiscal year under this section is $100,000,000.

(5) A project carried out using funds under this section shall be carried out within the total amount of funds appropriated for the Account that have not been obligated.

(c) REPORTS.—(1)(A) Not later than 60 days after the end of each fiscal year in which the Secretary carries out activities under this

subtitle using funds in the Account, the Secretary shall transmit a report to the congressional defense committees of—

(i) the amount and nature of the deposits into, and the expenditures from, the Account during such fiscal year;

(ii) the amount and nature of other expenditures made pursuant to section 2714(a) during such fiscal year;

(iii) the amount and nature of anticipated deposits to be made into, and the anticipated expenditures to be made from, the Account during the first fiscal year commencing after the submission of the report; and

(iv) the amount and nature of anticipated expenditures to be made pursuant to section 2714(a) during the first fiscal year commencing after the submission of the report.

(B) The report for a fiscal year shall include the following:

(i) The obligations and expenditures from the Account during the fiscal year, identified by subaccount and installation, for each military department and Defense Agency.

(ii) The fiscal year in which appropriations for such expenditures were made and the fiscal year in which funds were obligated for such expenditures.

(iii) Each military construction project for which such obligations and expenditures were made, identified by installation and project title.

(iv) A description and explanation of the extent, if any, to which expenditures for military construction projects for the fiscal year differed from any proposals for projects and funding levels for the Account for such fiscal year, including an explanation of—

(I) any failure to carry out military construction projects that were so proposed; and

(II) any expenditures for military construction projects that were not so proposed.

(v) An estimate of the net revenues to be received from property disposals to be completed during the first fiscal year commencing after the submission of the report at military installations approved for closure or realignment under this subtitle.

(2) Not later than 60 days after the closure of the Account under subsection (a)(3), the Secretary shall transmit to the congressional defense committees a report containing an accounting of—

(A) all of the funds deposited into and expended from the Account or otherwise expended under this subtitle with respect to such installations; and

(B) any amount remaining in the Account.

(d) DISPOSAL OR TRANSFER OF COMMISSARY STORES AND PROPERTY PURCHASED WITH NONAPPROPRIATED FUNDS.—(1) If any real property or facility acquired, constructed, or improved (in whole or in part) with commissary store funds or nonappropriated funds is transferred or disposed of in connection with the closure or realignment of a military installation under this subtitle, a portion of the proceeds of the transfer or other disposal of property on that installation shall be deposited in the reserve account established under section 204(b)(7)(C) of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100–526; 10 U.S.C. 2687 note).

(2) The amount so deposited shall be equal to the depreciated value of the investment made with such funds in the acquisition, construction, or improvement of that particular real property or facility. The depreciated value of the investment shall be computed in accordance with regulations prescribed by the Secretary.

(3) The Secretary may use amounts in the reserve account, without further appropriation, for the purpose of acquiring, constructing, and improving—

(A) commissary stores; and

(B) real property and facilities for nonappropriated fund instrumentalities.

(4) In this subsection:

(A) The term ''commissary store funds'' means funds received from the adjustment of, or surcharge on, selling prices at commissary stores fixed under section 2685 of title 10, United States Code.

(B) The term ''nonappropriated funds'' means funds received from a nonappropriated fund instrumentality.

(C) The term ''nonappropriated fund instrumentality'' means an instrumentality of the United States under the jurisdiction of the Armed Forces (including the Army and Air Force Exchange Service, the Navy Resale and Services Support Office, and the Marine Corps exchanges) which is conducted for the comfort, pleasure, contentment, or physical or mental improvement of members of the Armed Forces.

(e) ACCOUNT EXCLUSIVE SOURCE OF FUNDS FOR ENVIRONMENTAL RESTORATION PROJECTS.—Except for funds deposited into the Account under subsection (a), funds appropriated to the Department of Defense may not be used for purposes described in section 2714(a)(1)(C). The prohibition in this subsection shall expire upon the closure of the Account under subsection (a)(3).

(f) AUTHORIZED COST AND SCOPE OF WORK VARIATIONS.—(1) Subject to paragraphs (2) and (3), the cost authorized for a military construction project or military family housing project to be carried out using funds in the Account may not be increased or reduced by more than 20 percent or $2,000,000, whichever is less, of the amount specified for the project in the conference report to accompany the Act of Congress authorizing the project. The scope of work for such a project may not be reduced by more than 25 percent from the scope specified in the most recent budget documents for the projects listed in such conference report.

(2) Paragraph (1) shall not apply to a military construction project or military family housing project to be carried out using funds in the Account with an estimated cost of less than $5,000,000, unless the project has not been previously identified in any budget submission for the Account and exceeds the applicable minor construction threshold under section 2805 of title 10, United States Code.

(3) The limitation on cost or scope variation specified in paragraph (1) shall not apply if the Secretary of Defense makes a determination that an increase or reduction in cost or a reduction in the scope of work for a military construction project or military family housing project to be carried out using funds in the Account is required for the sole purpose of meeting unusual variations in cost or scope. If the Secretary makes such a determination, the Secretary shall notify the congressional defense committees of the variation in cost or scope not later than 21 days before the date on which the variation is made in connection with the project or, if the notification is provided in an electronic medium pursuant to section 480 of title 10, United States Code, not later than 14 days before the date on which the variation is made. The Secretary shall include the reasons for the variation in the notification.

SEC. 2716. RESTRICTION ON OTHER BASE CLOSURE AUTHORITY.

(a) IN GENERAL.—Except as provided in subsection (c), during the period beginning on the date of the enactment of this Act, and ending on April 15, 2020, this subtitle shall be the exclusive authority for selecting for closure or realignment, or for carrying out any closure or realignment of, a military installation inside the United States.

(b) RESTRICTION.—Except as provided in subsection (c), none of the funds available to the Department of Defense may be used, other than under this subtitle, during the period specified in subsection (a)—

(1) to identify, through any transmittal to Congress or through any other public announcement or notification, any military installation inside the United States as an installation to be closed or realigned or as an installation under consideration for closure or realignment; or

(2) to carry out any closure or realignment of a military installation inside the United States.

(c) EXCEPTION.—Nothing in this subtitle affects the authority of the Secretary to carry out closures and realignments to which section 2687 of title 10, United States Code, is not applicable, including closures and realignments carried out for reasons of national security or a military emergency described in subsection (d) of such section.

SEC. 2717. DEFINITIONS.

In this subtitle:

(1) The term ''Account'' means the Department of Defense Base Closure Account established by section 2715(a)(1).

(2) The term ''congressional defense committees'' means the Committee on Armed Services and the Committee on Appropriations of the Senate and the Committee on Armed Services and the Committee on Appropriations of the House of Representatives.

(3) The term ''military installation'' means a base, camp, post, station, yard, center, homeport facility for any ship, or other activity under the jurisdiction of the Department of Defense, including any leased facility. Such term does not include any facility used primarily for civil works, rivers and harbors projects, flood control, or other projects not under the primary jurisdiction or control of the Department of Defense.

(4) The term ''realignment'' includes any action which both reduces and relocates functions and civilian personnel positions but does not include a reduction in force resulting from workload adjustments, reduced personnel or funding levels, or skill imbalances.

(5) The term ''Secretary'' means the Secretary of Defense.

(6) The term ''United States'' means the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, American Samoa, and any other commonwealth, territory, or possession of the United States.

(7) The term ''date of approval'', with respect to a closure or realignment of an installation, means the date on which Congress approves under section 2713(b) a recommendation of closure or realignment, as the case may be, of such installation.

(8) The term ''redevelopment authority'', in the case of an installation to be closed or realigned under this subtitle, means any entity (including an entity established by a State or local government) recognized by the Secretary of Defense as the entity responsible for developing the redevelopment plan with respect to the installation or for directing the implementation of such plan.

(9) The term ''redevelopment plan'' in the case of an installation to be closed or realigned under this subtitle, means a plan that—

(A) is agreed to by the local redevelopment authority with respect to the installation; and

(B) provides for the reuse or redevelopment of the real property and personal property of the installation that is available for such reuse and redevelopment as a result of the closure or realignment of the installation.

(10) The term ''representative of the homeless'' has the meaning given such term in section 501(i)(4) of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11411(i)(4)).

SEC. 2718. TREATMENT AS A BASE CLOSURE LAW FOR PURPOSES OF OTHER PROVISIONS OF LAW.

(a) DEFINITION OF ''BASE CLOSURE LAW'' IN TITLE 10.—Section 101(a)(17) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

''(D) The Defense Force and Infrastructure Review Act of 2017.''.

(b) DEFINITION OF ''BASE CLOSURE LAW'' IN OTHER LAWS.—

(1) Section 131(b) of Public Law 107–249 (10 U.S.C. 221 note) is amended by striking ''means'' and all that follows and inserting ''has the meaning given the term 'base closure law' in section 101(a)(17) of title 10, United States Code.''.

(2) Section 1334(k)(1) of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103–160; 10 U.S.C. 2701 note) is amended by adding at the end the following new subparagraph:

''(C) The Defense Force and Infrastructure Review Act of 2017.''.

(3) Section 2918(a)(1) of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103–160; 10 U.S.C. 2687 note) is amended by adding at the end the following new subparagraph:

''(C) The Defense Force and Infrastructure Review Act of 2017.''.

SEC. 2719. CONFORMING AMENDMENTS.

(a) DEPOSIT AND USE OF LEASE PROCEEDS.—Section 2667(e) of title 10, United States Code, is amended—

(1) in paragraph (5), by striking ''on or after January 1, 2005,'' and inserting ''from January 1, 2005 through December 31, 2005,''; and

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

''(6) Money rentals received by the United States from a lease under subsection (g) at a military installation approved for closure or realignment under a base closure law on or after January 1, 2006, shall be deposited into the account established under section 2715 of the Defense Force and Infrastructure Review Act of 2017.''.

(b) RESTORED LEAVE.—Section 6304(d)(3)(A) of title 5, United States Code, is amended by striking ''the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note)'' and inserting ''a base closure law, as that term is defined in section 101(a)(17) of title 10,''.

SA 876. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. CLARIFICATION OF AUTHORITY TO SUPPORT BORDER SECURITY OPERATIONS OF CERTAIN FOREIGN COUNTRIES.

Section 1226(b)(3) of the National Defense Authorization Act for Fiscal Year 2016 (22 U.S.C. 2551 note) is amended by striking ''for such fiscal year'' both places it appears.

SA 877. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. OFFICE OF PERSONNEL MANAGEMENT REPORTING REQUIREMENT ON USE OF OFFICIAL TIME BY FEDERAL EMPLOYEES.

(a) IN GENERAL.—Section 7131 of title 5, United States Code, is amended by adding at the end the following:

''(e)(1)(A) Not later than March 31 of each calendar year, the Office of Personnel Management, in consultation with the Office of Management and Budget, shall submit to each House of Congress a report on the operation of this section during the fiscal year last ending before the start of such calendar year.

''(B) Not later than December 31 of each calendar year, each agency (as defined by section 7103(a)(3)) shall furnish to the Office of Personnel Management the information which such Office requires, with respect to such agency, for purposes of the report which is next due under subparagraph (A).

''(2) Each report by the Office of Personnel Management under this subsection shall include, with respect to the fiscal year described in paragraph (1)(A), at least the following information:

''(A) The total amount of official time granted to employees.

''(B) The average amount of official time expended per bargaining unit employee.

''(C) The specific types of activities or purposes for which official time was granted, and the impact which the granting of such official time for such activities or purposes had on agency operations.

''(D) The total number of employees to whom official time was granted, and, of that total, the number who were not engaged in any activities or purposes except activities or purposes involving the use of official time.

''(E) The total amount of compensation (including fringe benefits) afforded to employees in connection with activities or purposes for which they were granted official time.

''(F) The total amount of official time spent by employees representing Federal employees who are not union members in matters authorized by this chapter.

''(G) A description of any room or space designated at the agency (or its subcomponent) where official time activities will be conducted, including the square footage of any such room or space.

''(3) All information included in a report by the Office of Personnel Management under this subsection with respect to a fiscal year—

''(A) shall be shown both agency-by-agency and for all agencies; and

''(B) shall be accompanied by the corresponding information (submitted by the Office in its report under this subsection) for the fiscal year before the fiscal year to which such report pertains, together with appropriate comparisons and analyses.

''(4) For purposes of this subsection, the term 'official time' means any period of time, regardless of agency nomenclature—

''(A) which may be granted to an employee under this chapter (including a collective bargaining agreement entered into under this chapter) to perform representational or consultative functions; and

''(B) during which the employee would otherwise be in a duty status.''.

(b) APPLICABILITY.—The amendment made by subsection (a) shall be effective beginning with the report which, under the provisions of such amendment, is first required to be submitted by the Office of Personnel Management to each House of Congress by a date which occurs at least 6 months after the date of the enactment of this Act.

SA 878. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1088. FEDERAL TAXPAYER-FUNDED UNION TIME.

(a) IN GENERAL.—

(1) AMENDMENT.—Section 7131 of title 5, United States Code, is amended—

(A) in the section heading, by striking ''**Official time**'' and inserting ''**Federal taxpayer-funded union time**'';

(B) in subsection (a), by striking ''official time'' each place it appears and inserting ''Federal taxpayer-funded union time'';

(C) in subsection (c), by striking ''official time'' and all that follows through ''duty status'' and inserting ''Federal taxpayer-funded union time for such purpose during the time the employee otherwise would be in a duty status as intended upon appointment to a position in the civil service''; and

(D) in subsection (d), in the matter following paragraph (2), by striking ''official time'' and inserting ''Federal taxpayer-funded union time''.

(2) TECHNICAL AND CONFORMING AMENDMENTS.—

(A) Section 1018(d) of the Foreign Service Act of 1980 (22 U.S.C. 4118(d)) is amended—

(i) by striking ''official time'' each place it appears and inserting ''Federal taxpayer-funded union time''; and

(ii) in paragraph (3), by inserting ''as intended upon appointment to a position in the civil service or foreign service'' before the period at the end.

(B) The table of sections for chapter 71 of title 5, United States Code, is amended by striking the item relating to section 7131 and inserting the following:

''7131. Federal taxpayer-funded union time.''.

(b) LIMITATION ON USE OF FEDERAL TAXPAYER-FUNDED UNION TIME FOR POLITICAL ACTIVITY.—

(1) IN GENERAL.—Section 7131 of title 5, United States Code, is amended—

(A) in subsection (d) by inserting ''and subsection (e)'' after ''preceding subsections''; and

(B) by adding at the end the following:

''(e) An employee may not be granted Federal taxpayer-funded union time under this section for any time such employee would otherwise be in a duty status for purposes of engaging in any political activity, including lobbying activity.''.

(2) APPLICABILITY.—The amendment made by this subsection shall apply on and after the date of enactment of this Act, regardless of whether an employee is covered by a collective bargaining agreement in effect on such date.

(c) EXCLUSION OF CERTAIN DURATIONS OF FEDERAL TAXPAYER-FUNDED UNION TIME FROM CREDITABLE SERVICE.—

(1) CSRS.—Section 8332 of title 5, United States Code, is amended by adding at the end the following:

''(p)(1) An employee may not be allowed credit under this section for service performed during any year during which the service of the employee is spent principally on Federal taxpayer-funded union time, as described under paragraph (2).

''(2) For purposes of this subsection, the service of an employee during a year is spent principally on Federal taxpayer-funded union time if at least 80 percent of the hours such employee would otherwise be in a duty status during such year are spent on Federal taxpayer-funded union time granted under section 7131.

''(3) Notwithstanding paragraph (1), any service described under paragraph (1) for which an employee is not allowed credit under this subsection shall be treated as creditable service for purposes of calculating the average pay of the employee under section 8331(4).''.

(2) FERS.—Section 8411 of title 5, United States Code, is amended by—

(A) striking ''(i)(1) Upon application'' and inserting ''(j)(1) Upon application''; and

(B) by adding at the end the following:

''(m)(1) An employee may not be allowed credit under this section for service performed during any year during which the service of the employee is spent principally on Federal taxpayer-funded union time, as described under paragraph (2).

''(2) For purposes of this subsection, the service of an employee during a year is spent principally on Federal taxpayer-funded union time if at least 80 percent of the hours such employee would otherwise be in a duty status during such year are spent on Federal taxpayer-funded union time granted under section 7131.

''(3) Notwithstanding paragraph (1), any service described under paragraph (1) for which an employee is not allowed credit under this subsection shall be considered service for purposes of calculating the average pay of the employee under section 8401(3).''.

(3) APPLICABILITY.—The amendments made by this subsection shall apply to any applicable annuity calculated on or after January 1, 2019.

(d) LIMITATION ON CERTAIN BONUSES.—

(1) RECRUITMENT AND RELOCATION BONUSES.—

(A) IN GENERAL.—Section 5753 of title 5, United States Code, is amended—

(i) in subsection (g) by inserting ''or the bonus is subject to retraction under subsection (h)'' before the period at the end; and

(ii) by adding at the end the following:

''(h) A bonus awarded under this section shall be retracted and subject to repayment under subsection (g) in any case in which an employee has spent at least 80 percent of the hours such employee would otherwise be in a duty status on Federal taxpayer-funded union time granted under section 7131 during the period ending on the date that is 6 months after the appointment or relocation of such employee, as applicable.''.

(B) APPLICABILITY.—The amendment made by subparagraph (A) shall apply with respect to any applicable bonus awarded on or after January 1, 2018.

(2) RETENTION BONUSES.—Section 5754(d) of title 5, United States Code, is amended by adding at the end the following:

''(5)(A) A retention bonus may not be paid to an employee who, for a period of 6 consecutive months of service associated with the bonus, has spent at least 80 percent of the hours such employee would otherwise be in a duty status on Federal taxpayer-funded union time granted under section 7131.

''(B) Subparagraph (A) shall apply with respect to any 6 consecutive months of service beginning on or after January 1, 2018.''.

SA 879. Mr. JOHNSON (for himself and Mr. FLAKE) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 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 appropriate place, insert the following:

SEC. ___. VENUE FOR PROSECUTION OF MARITIME DRUG TRAFFICKING.

(a) IN GENERAL.—Section 70504(b) of title 46, United States Code, is amended to read as follows:

''(b) VENUE.—A person violating section 70503 or 70508—

''(1) shall be tried in the district in which such offense was committed; or

''(2) if the offense was begun or committed upon the high seas, or elsewhere outside the jurisdiction of any particular State or district, may be tried in any district.''.

(b) CONFORMING AMENDMENT.—Section 1009(d) of the Controlled Substances Import and Export Act (21 U.S.C. 959(d)) is amended—

(1) in the subsection title, by striking ''; VENUE''; and

(2) by striking ''Any person who violates this section shall be tried in the United States district court at the point of entry where such person enters the United States, or in the United States District Court for the District of Columbia.''.

SA 880. Mr. TILLIS (for himself and Mr. NELSON) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 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. ____. LIMITATION ON AVAILABILITY OF FUNDS FOR THE ENHANCED MULTI MISSION PARACHUTE SYSTEM.

(a) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for the Department of Defense for fiscal year 2018 for the Enhanced Multi Mission Parachute System may be used to enter into or prepare to enter into a contract for the procurement of the Enhanced Multi Mission Parachute System unless the Secretary of the Navy submits to the congressional defense committees the certification described in subsection (b) and the report described in subsection (c).

(b) CERTIFICATION.—The certification referred to in subsection (a) is a certification by the Secretary of the Navy that—

(1) neither the Marine Corps' currently fielded multi mission parachute system nor the Army's RA–1 parachute system meet the Marine Corps requirements;

(2) that the Marine Corps' PARIS, Special Application Parachute does not meet the Marine Corps requirement;

(3) the testing plan for the enhanced multi mission parachute system meets all regulatory requirements; and

(4) the Department of the Navy has determined that a high glide canopy is as safe and effective as the currently fielded free fall parachute systems.

(c) REPORT.—The report referred to in subsection (a) is a report that includes—

(1) an explanation for using the Parachute Industry Association specification for a military parachute given that sports parachutes are employed from relatively slow flying civilian aircraft at altitudes below 10,000 feet;

(2) a cost estimate for any new equipment and training that the Marine Corps will require in order to employ a high glide parachute;

(3) justification of why the Department of the Navy is not conducting any testing until first article testing; and

(4) an assessment of the risks associated with high glide canopies with a focus on how the Department of the Navy will mitigate the risk for malfunctions experienced in other high glide canopy programs.

SA 881. Mr. WICKER submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 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 16, add the following:

SEC. 1612. REPORT ON ACQUISITION STRATEGY TO RECAPITALIZE THE EXISTING SYSTEM FOR UNDERSEA FIXED SURVEILLANCE.

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of the Navy shall submit to the congressional defense committees a report on the acquisition strategy to recapitalize the existing system for undersea fixed surveillance.

(b) ELEMENTS.—The report required by subsection (a) shall address the following matters:

(1) A description of undersea fixed surveillance system recapitalization requirements, including key performance parameters and key system attributes as applicable.

(2) Cost estimates for procuring a future system or systems

(3) Projected dates for key milestones within the acquisition strategy

(4) A description of how the acquisition strategy will improve performance in the areas of detection and localization compared to the legacy system to enable effective performance against current, emerging, and future threats over the life of the systems.

(5) A description of how the acquisition strategy will encourage competition and reward innovation for addressing system performance requirements.

SA 882. Mr. YOUNG submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 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 XVI, add the following:

SEC. 1612. COMPREHENSIVE REVIEW OF MARITIME INTELLIGENCE, SURVEILLANCE, RECONNAISSANCE, AND TARGETING.

(a) REPORT REQUIRED.—Not later than May 1, 2018, the Secretary of the Navy shall submit to the congressional defense committees a report on maritime intelligence, surveillance, reconnaissance, and targeting.

(b) COMPREHENSIVE REVIEW.—The report required in subsection (a) shall include a comprehensive review of the following elements for the 2025 and 2035 timeframes:

(1) A description of the projected steady-state demands for maritime intelligence, surveillance, reconnaissance, and targeting capabilities and capacity in each timeframe, including protracted gray-zone or low-intensity confrontations between the United States or its allies and potential adversaries such as Russia and China.

(2) A description of potential warfighting planning scenarios in which maritime intelligence, surveillance, reconnaissance, and targeting will be required in each prescribed timeframe, including the most stressing such scenario.

(3) A description of the undersea, surface, and air threats for each scenario described in paragraph (1) that will require maritime intelligence, surveillance, reconnaissance, and targeting to be conducted in order to achieve warfighting objectives.

(4) An assessment of the sufficiency of maritime intelligence, surveillance, reconnaissance, and targeting program capability and capacity to achieve the warfighting objectives described in paragraph (3) in the most stressing scenario described in paragraph (2), including the effects of attrition.

(5) Planned operational concepts, including a High Level Operational Concept Graphic (OV–1) for each such concept, for conducting maritime intelligence, surveillance, reconnaissance, and targeting during steady state operations and warfighting scenarios described in paragraphs (1) and (2). Consideration of distributed combat operations in a satellite denied environment shall be included.

(6) Specific capability gaps or risk areas in the ability or sufficiency of maritime intelligence, surveillance, reconnaissance, and targeting.

(7) Potential solutions to address the capability gaps and risk areas identified in paragraph (6), including new capabilities, increased capacity, or new operating concepts that could be employed by the Navy.

(8) A description of the funding amount by fiscal year, initial operational capability, and full operational capability for each maritime intelligence, surveillance, reconnaissance, and targeting program identified in paragraph (4), based on the President's fiscal year 2019 future years defense program. Unfunded or partially funded programs shall also be included.

(c) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may contain a classified annex as necessary.

SA 883. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 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 appropriate place, insert the following:

SEC. ___. PERMANENT RESIDENT STATUS FOR LUIS BARRIOS.

(a) IN GENERAL.—Notwithstanding subsections (a) and (b) of section 201 of the Immigration and Nationality Act (8 U.S.C. 1151), Luis Barrios shall be eligible for issuance of an immigrant visa or for adjustment of status to that of an alien lawfully admitted for permanent residence upon filing an application for issuance of an immigrant visa under section 204 of such Act (8 U.S.C. 1154) or for adjustment of status to lawful permanent resident.

(b) ADJUSTMENT OF STATUS.—If Luis Barrios enters the United States before the filing deadline specified in subsection (c), Luis Barrios shall be considered to have entered and remained lawfully in the United States and shall be eligible for adjustment of status under section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) as of the date of the enactment of this Act.

(c) APPLICATION AND PAYMENT OF FEES.—Subsections (a) and (b) shall apply only if the application for the issuance of an immigrant visa or the application for adjustment of status is filed with appropriate fees not later than 2 years after the date of the enactment of this Act.

(d) REDUCTION OF IMMIGRANT VISA NUMBERS.—Upon the granting of an immigrant visa or permanent residence to Luis Barrios, the Secretary of State shall instruct the proper officer to reduce by 1, during the current or next following fiscal year—

(1) the total number of immigrant visas that are made available to natives of the country of birth of Luis Barrios under section 203(a) of the Immigration and Nationality Act (8 U.S.C. 1153(a)); or

(2) if applicable, the total number of immigrant visas that are made available to natives of the country of birth of Luis Barrios under section 202(e) of such Act (8 U.S.C. 1152(e)).

(e) PAYGO.—The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled "Budgetary Effects of PAYGO Legislation" for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

SA 884. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 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 VI, add the following:

SEC. _____. SENSE OF SENATE ON THE USE BY EXCHANGE STORES OF SMALL BUSINESSES AS SUPPLIERS.

(a) FINDINGS.—The Senate makes the following findings:

(1) Exchange stores, as non-appropriated fund instrumentalities of the Department of Defense, are not required to give any preference to particular vendors or suppliers.

(2) Even so, exchange stores are uniquely positioned to feature products from small businesses, especially veteran-owned small businesses.

(b) SENSE OF SENATE.—It is the sense of the Senate to urge the Department to work with the military exchange services to develop strategies for featuring products of small businesses, particularly products of veteran-owned small businesses, in military exchange stores.

SA 885. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 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 appropriate place, insert the following:

SEC. ___. SAFING UNITED STATES INTERCONTINENTAL BALLISTIC MISSILE FLEET.

The Secretary of Defense shall take United States ground-based intercontinental ballistic missiles off high alert to eliminate the risk of an accidental or unauthorized launch, and to prevent an intentional launch, in response to an event mistakenly interpreted as an incoming attack, by turning a key in a control switch to isolate the missiles from outside launch signals (commonly referred to as "safing").

SA 886. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 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. 1641. PROHIBITION ON USE OF FUNDS FOR RESEARCH OR TESTING OF LOW-YIELD NUCLEAR WEAPONS.

None of the funds authorized to be appropriated or otherwise made available by this Act may be obligated or expended for research or testing of new nuclear weapons with explosive capabilities below 10 kilotons or for research or testing of existing nuclear weapons to be modified to explode below 10 kilotons.

SA 887. Ms. CANTWELL (for herself and Ms. WARREN) submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 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 appropriate place, insert the following:

SEC. ___. PROHIBITION ON USE OF FUNDS IN VIOLATION OF INTERNATIONAL OBLIGATIONS.

None of the funds authorized to be appropriated or otherwise made available by this Act may be obligated or expended to conduct any activity in violation of the obligations of the United States under an international agreement.

SA 888. Ms. CANTWELL (for herself and Mrs. MURRAY) submitted an

amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 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 appropriate place, insert the following:

SEC. ___. EXTENDING THE AUTHORIZATIONS OF THE EEOICPA OMBUDSMAN AND THE ADVISORY BOARD ON TOXIC SUBSTANCES AND WORKER HEALTH.

(a) EXTENDING THE AUTHORIZATION OF THE EEOICPA OMBUDSMAN.—Section 3686(h) of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7385s–15(h)) is amended by striking ''October 28, 2019'' and inserting ''October 28, 2024''.

(b) EXTENDING THE AUTHORIZATION OF THE ADVISORY BOARD ON TOXIC SUBSTANCES AND WORKER HEALTH.—Section 3687(i) of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7385s–16(i)) is amended by striking ''5 years'' and inserting ''10 years''.

SA 889. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 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 appropriate place, insert the following:

SEC. ___. ESTIMATE OF COSTS OF MAINTAINING AND MODERNIZING NUCLEAR WEAPONS STOCKPILE.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report containing an estimate of the costs, over the 30-year period beginning on such date of enactment, of maintaining and modernizing the nuclear weapons stockpile.

(b) FORM.—The report required by subsection (a) shall be submitted in unclassified form but may include a classified annex.

SA 890. Mr. BROWN (for himself, Mr. PORTMAN, and Mr. CRAPO) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 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 appropriate place, insert the following:

SEC. ___. LIMITATION ON CANCELLATION OF DESIGNATION OF SECRETARY OF THE AIR FORCE AS DEPARTMENT OF DEFENSE EXECUTIVE AGENT FOR A CERTAIN DEFENSE PRODUCTION ACT PROGRAM.

(a) LIMITATION ON CANCELLATION OF DESIGNATION.—The Secretary of Defense may not implement the decision, issued on July 1, 2017, to cancel the designation, under Department of Defense Directive 4400.1E, entitled ''Defense Production Act Programs'' and dated October 12, 2001, of the Secretary of the Air Force as the Department of Defense Executive Agent for the program carried out under title III of the Defense Production Act of 1950 (50 U.S.C. 4531 et seq.) until the date specified in subsection (c).

(b) DESIGNATION.—The Secretary of the Air Force shall continue to serve as the Department of Defense Executive Agent for the program described in subsection (a) until the date specified in subsection (c).

(c) DATE SPECIFIED.—The date specified in this subsection is the earlier of—

(1) the date that is two years after the date of the enactment of this Act; or

(2) the date of the enactment of a joint resolution or an Act approving the implementation of the decision described in subsection (a).

SA 891. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ____. PLAN ON IMPROVEMENT OF ABILITY OF FOREIGN GOVERNMENTS PARTICIPATING IN UNITED STATES INSTITUTIONAL CAPACITY BUILDING PROGRAMS TO PROTECT CIVILIANS.

(a) REPORT ON PLAN.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of State shall jointly submit to the appropriate committees of Congress a report setting forth a plan, to be implemented as part of each institutional capacity building program required by section 333(c)(4) of title 10, United States Code, to improve the ability of foreign governments to protect civilians.

(b) ELEMENTS.—The plan required by subsection (a) shall include the following:

(1) Efforts to develop and integrate civilian harm mitigation principles and techniques in all relevant partner force standard operating procedures.

(2) Efforts to build partner capacity to collect, track, and analyze civilian casualty data and apply lessons learned to future operations, and to provide amends to civilians harmed by partner force operations.

(3) Efforts to support enhanced investigatory and accountability standards in partner forces to ensure compliance with the laws of armed conflict and appropriate human rights and civilian protection standards.

(4) Support for increased partner transparency, which should include the establishment of civil affairs capabilities within partner militaries to improve communication with the public.

(5) An estimate of the resources required to implement the efforts and support described in paragraphs (1) through (4).

(6) A description of the appropriate roles of the Department of Defense and the Department of State in such efforts and support.

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

(1) the Committee on Armed Services, the Committee on 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.

SA 892. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 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 V, add the following:

SEC. ____. CIVILIAN TRAINING FOR NATIONAL GUARD PILOTS AND SENSOR OPERATOR AIRCREWS OF MQ–9 UNMANNED AERIAL VEHICLES.

(a) CONTRACTS FOR TRAINING.—Subject to subsection (c), the Chief of the National Guard Bureau may enter into one or more contracts with appropriate civilian entities in order to provide flying or operating training for National Guard pilots and sensor operator aircrew members in the MQ–9 unmanned aerial vehicle if the Chief of the National Guard Bureau determines that—

(1) Air Force training units lack sufficient capacity to train such pilots or sensor operator aircrew members for initial qualification in the MQ–9 unmanned aerial vehicle;

(2) pilots or sensor operator aircrew members of Air National Guard units require continuation training in order to remain current and qualified in the MQ-9 unmanned aerial vehicle;

(3) non-combat continuation training in the MQ–9 unmanned aerial vehicle is necessary for such pilots or sensor operator aircrew members to achieve required levels of flying or operating proficiency; or

(4) such training for such pilots or sensor operator aircrew members is necessary in order to meet requirements for the National Guard to provide pilots and sensor operator aircrew members qualified in the MQ–9 unmanned aerial vehicle for operations on active duty and in State status.

(b) NATURE OF TRAINING UNDER CONTRACTS.—Any training provided pursuant to a contract under subsection (a) shall incorporate a level of instruction that is equivalent to the instruction in the MQ–9 unmanned aerial vehicle provided to pilots and sensor operator aircrew members at Air Force training units.

(c) AUTHORITY CONTINGENT ON CERTIFICATION.—The Chief of the National Guard Bureau may not use the authority in subsection (a) unless and until the Secretary of the Air Force certifies to the congressional defense committees in writing that the use of the authority is necessary to provide required flying or operating training for National Guard pilots and sensor operator aircrew members in the MQ–9 unmanned aerial vehicle.

SA 893. Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 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 497, beginning on line 1, strike '' '12.6 percent' '' and insert '' '4.8 percent' ''.

SA 894. Mr. MANCHIN submitted an amendment intended to be proposed by

him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ____. ACHIEVEMENT BY DEPARTMENT OF DEFENSE AND MILITARY DEPARTMENTS OF UNQUALIFIED OPINIONS OF STATEMENT OF BUDGETARY RESOURCES.

(a) ENHANCED REPROGRAMMING AUTHORITY FOLLOWING ACHIEVEMENT BY DEPARTMENT OF DEFENSE AND MILITARY DEPARTMENTS OF AUDIT WITH UNQUALIFIED OPINION OF STATEMENT OF BUDGETARY RESOURCES FOR FISCAL YEARS AFTER FISCAL YEAR 2017.—

(1) DEPARTMENT OF DEFENSE GENERALLY.—Subject to subsection (b)(1), if the Department of Defense obtains an audit with an unqualified opinion on its statement of budgetary resources for any fiscal year after fiscal year 2017, the limitation on the total amount of authorizations that the Secretary of Defense may transfer pursuant to general transfer authority available to the Secretary in the national interest in the succeeding fiscal year shall be $8,000,000,000.

(2) MILITARY DEPARTMENTS, DEFENSE AGENCIES, AND DEFENSE FIELD ACTIVITIES.—Subject to section (c)(1), if a military department, Defense Agency, or defense field activity obtains an audit with an unqualified opinion on its statement of budgetary resources for any fiscal year after fiscal year 2017, the thresholds for reprogramming of funds of such military department, Defense Agency, or defense field activity, as the case may be, without prior notice to Congress for the succeeding fiscal year shall be deemed to be the thresholds as follows:

(A) In the case of an increase or decrease to the program base amount for a procurement program, $60,000,000.

(B) In the case of an increase or decrease to the program base amount for a research program, $30,000,000.

(C) In the case of an increase or decrease to the amount for a budget activity for operation and maintenance, $45,000,000.

(D) In the case of an increase or decrease to the amount for a budget activity for military personnel, $30,000,000.

(3) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to alter or revise any requirement (other than a threshold amount) for notice to Congress on transfers covered by paragraph (1) or reprogrammings covered by paragraph (2) under any other provision of law.

(4) DEFINITIONS.—In this subsection, the terms ''program base amount'', ''procurement program'', ''research program'', and ''budget activity'' have the meanings given such terms in chapter 6 of volume 3 of the Financial Management Regulation of the Department of Defense (DoD 7000.14R), dated March 2011, or any successor document.

(b) FAILURE OF DEPARTMENT OF DEFENSE TO OBTAIN AUDITS WITH UNQUALIFIED OPINION OF FISCAL YEAR 2018 FINANCIAL STATEMENTS.—If the Department of Defense fails to obtain an audit with an unqualified opinion on its general fund statement of budgetary resources for fiscal year 2018 by March 31, 2019, effective as of April 1, 2019, the authority in subsection (a)(1) shall cease to be available to the Department of Defense for fiscal year 2018 and any fiscal year thereafter.

(c) FAILURE OF THE MILITARY DEPARTMENTS TO OBTAIN AUDITS WITH UNQUALIFIED OPINION OF FINANCIAL STATEMENTS FOR FISCAL YEARS AFTER FISCAL YEAR 2018.—

(1) PERMANENT CESSATION OF AUTHORITIES REPROGRAMMING OF FUNDS.—If a military department fails to obtain an audit with an unqualified opinion on its financial statements for fiscal year 2018 by March 31, 2019, effective as of April 1, 2019, the authorities in subsection (a)(2) shall cease to be available to the military department for fiscal year 2018 and any fiscal year thereafter.

(2) ANNUAL PROHIBITION ON EXPENDITURE OF FUNDS FOR CERTAIN MDAPS PAST MILESTONE B IN CONNECTION WITH FAILURE.—

(A) PROHIBITION.—Effective for fiscal years after fiscal year 2018, if a military department fails to obtain an audit with an unqualified opinion on its financial statements for any fiscal year, effective as of the date of the issuance of the opinion on such audit, amounts available to the military department for the following fiscal year may not be obligated by the military department for a weapon or weapon system or platform being acquired as a major defense acquisition program for any activity beyond Milestone B approval unless such program has already achieved Milestone B approval of the date of the issuance of the opinion on such audit.

(B) DEFINITIONS.—In this paragraph:

(i) The term ''major defense acquisition program'' has the meaning given that term in section 2430 of title 10, United States Code.

(ii) The term ''Milestone B approval'' has the meaning given that term in section 2366(e)(7) of title 10, United States Code.

SA 895. Mr. HEINRICH submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title XVI, insert the following:

SEC. 1607. AVAILABILITY OF FUNDS FOR DEVELOPMENT OF ROBOTIC RAPID PROTOTYPING SATELLITE MANUFACTURING CAPABILITY.

Of the amount authorized to be appropriated for fiscal year 2018 by section 201 for research, development, test, and evaluation, Air Force, and made available as specified in the funding table in section 4201 for the Operationally Responsive Space program (PE# 1206857F), not less than $1,000,000 shall be available to the Office of the Operationally Responsive Space program for the purposes of development of a robotic rapid prototyping satellite manufacturing capability.

SA 896. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. CONDITIONS FOR REFUELING SUPPORT OF THE SAUDI-LED COALITION IN YEMEN.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act (in this section, the ''certification submittal deadline''), the Secretary of Defense shall, in consultation with the Secretary of State, submit to the appropriate committees of Congress a certification whether or not the Government of Saudi Arabia is taking demonstrable actions to do the following as part of its military operations in Yemen:

(1) Reduce the risk of harm to civilians and civilian objects in compliance with obligations under international humanitarian law, including minimizing harm to civilians, discriminating between civilian objects and military objectives, and exercising proportional use of force.

(2) Facilitate the flow of critical humanitarian aid and commercial goods, including commercial fuel and commodities not subject to sanction or prohibition under United Nations Security Council Resolution 2216 (2015).

(3) Target designated foreign terrorist organizations, including al Qaeda in the Arabian Peninsula and affiliates of the Islamic State of Iraq and the Levant.

(b) ADDITIONAL MATTERS.—The Secretary of Defense shall include with the certification under subsection (a) the following:

(1) A description of efforts by the Government of Saudi Arabia to avoid harm to civilians and civilian objects in Yemen, including any changes to the training of its pilots, its targeting methodology, and its strike approval process.

(2) An explanation of United States support or other assistance to the Government of Saudi Arabia designed to improve the training of its pilots, its targeting methodology, and its strike approval process.

(3) A description of efforts by the Government of Saudi Arabia to investigate incidents where civilians and civilian objects have been harmed as a result of airstrikes and, when necessary, efforts to hold responsible personnel accountable.

(4) Any other matters in connection with the certification that the Secretary considers appropriate.

(c) LIMITATION ON USE OF FUNDS.—

(1) IN GENERAL.—If the Secretary of Defense does not submit the certification described in subsection (a) by the certification submittal deadline, or the Secretary certifies that the Government of Saudi Arabia is not taking demonstrable actions as described in that subsection, none of the funds authorized to be appropriated by this Act may be obligated or expended after the certification submittal deadline for the refueling of aircraft of Saudi Arabia or its military coalition partners in Yemen for any mission to be conducted in Yemen until the certification described in subsection (a) is submitted to the appropriate committees of Congress or the Secretary further certifies to the appropriate committees of Congress that the Government of Saudi Arabia is taking demonstrable actions as described in that subsection, as applicable.

(2) EXCEPTION.—The limitation in paragraph (1) shall not apply with respect to refueling aircraft of Saudi Arabia or its military coalition partners in Yemen that are conducting counterterrorism operations in support of United States national security objectives.

(3) WAIVER.—The Secretary of Defense may waive the limitation in paragraph (1) if the Secretary determines that the waiver is in the national security interests of the United States. The Secretary shall submit to the appropriate committees of Congress a written notification of the waiver, including the justification for the waiver, not later than 48 hours after the issuance of the waiver.

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

(1) the Committee on Armed Services, the Committee on Foreign Relations, 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.

SA 897. Mr. COTTON submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. SENSE OF CONGRESS ON THE BUDGET CONTROL ACT OF 2011.

It is the sense of Congress—

(1) that there are ongoing concerns about the negative impact of the Budget Control Act of 2011 (Public Law 112–25) on the Department of Defense and other agencies that contribute to the national security of the United States; and

(2) to support the unconditional repeal of that Act.

SA 898. Mr. CARPER (for himself and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 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 appropriate place, insert the following:

SEC. _____. MILITARY AND VETERANS EDUCATION PROTECTION.

(a) PROGRAM PARTICIPATION AGREEMENTS FOR PROPRIETARY INSTITUTIONS OF HIGHER EDUCATION.—Section 487 of the Higher Education Act of 1965 (20 U.S.C. 1094) is amended—

(1) in subsection (a)(24)—

(A) by inserting ''that receives funds provided under this title'' before '', such institution''; and

(B) by striking ''other than funds provided under this title, as calculated in accordance with subsection (d)(1)'' and inserting ''other than Federal educational assistance, as defined in subsection (d)(5) and calculated in accordance with subsection (d)(1)''; and

(2) in subsection (d)—

(A) in the subsection heading, by striking ''NON-TITLE IV'' and inserting ''NON-FEDERAL EDUCATIONAL'';

(B) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by inserting ''that receives funds provided under this title'' before ''shall'';

(ii) in subparagraph (B)—

(I) in clause (i), by striking ''assistance under this title'' and inserting ''Federal educational assistance''; and

(II) in clause (ii)(I), by inserting '', or on a military base if the administering Secretary for a program of Federal educational assistance under clause (ii), (iii), or (iv) of paragraph (5)(B) has authorized such location'' before the semicolon;

(iii) in subparagraph (C), by striking ''program under this title'' and inserting ''program of Federal educational assistance'';

(iv) in subparagraph (E), by striking ''funds received under this title'' and inserting ''Federal educational assistance''; and

(v) in subparagraph (F)—

(I) in clause (iii), by striking ''under this title'' and inserting ''of Federal educational assistance''; and

(II) in clause (iv), by striking ''under this title'' and inserting ''of Federal educational assistance'';

(C) in paragraph (2)—

(i) by striking subparagraph (A) and inserting the following:

''(A) INELIGIBILITY.—

''(i) IN GENERAL.—Notwithstanding any other provision of law, a proprietary institution of higher education receiving funds provided under this title that fails to meet a requirement of subsection (a)(24) for two consecutive institutional fiscal years shall be ineligible to participate in or receive funds under any program of Federal educational assistance for a period of not less than two institutional fiscal years.

''(ii) REGAINING ELIGIBILITY.—To regain eligibility to participate in or receive funds under any program of Federal educational assistance after being ineligible pursuant to clause (i), a proprietary institution of higher education shall demonstrate compliance with all eligibility and certification requirements for the program for a minimum of two consecutive institutional fiscal years after the institutional fiscal year in which the institution became ineligible. In order to regain eligibility to participate in any program of Federal educational assistance under this title, such compliance shall include meeting the requirements of section 498 for such 2-year period.

''(iii) NOTIFICATION OF INELIGIBILITY.—The Secretary of Education shall determine when a proprietary institution of higher education that receives funds under this title is ineligible under clause (i) and shall notify all other administering Secretaries of the determination.

''(iv) ENFORCEMENT.—Each administering Secretary for a program of Federal educational assistance shall enforce the requirements of this subparagraph for the program concerned upon receiving notification under clause (iii) of a proprietary institution of higher education's ineligibility.''; and

(ii) in subparagraph (B)—

(I) in the matter preceding clause (i)—

(aa) by striking ''In addition'' and all that follows through ''education fails'' and inserting ''Notwithstanding any other provision of law, in addition to such other means of enforcing the requirements of a program of Federal educational assistance as may be available to the administering Secretary, if a proprietary institution of higher education that receives funds provided under this title fails''; and

(bb) by striking ''the programs authorized by this title'' and inserting ''all programs of Federal educational assistance''; and

(II) in clause (i), by inserting ''with respect to a program of Federal educational assistance under this title,'' before ''on the expiration date'';

(D) in paragraph (4)(A), by striking ''sources under this title'' and inserting ''Federal educational assistance''; and

(E) by adding at the end the following:

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

''(A) ADMINISTERING SECRETARY.—The term 'administering Secretary' means the Secretary of Education, the Secretary of Defense, the Secretary of Veterans Affairs, the Secretary of Homeland Security, or the Secretary of a military department responsible for administering the Federal educational assistance concerned.

''(B) FEDERAL EDUCATIONAL ASSISTANCE.—The term 'Federal educational assistance' means funds provided under any of the following provisions of law:

''(i) This title.

''(ii) Chapter 30, 31, 32, 33, 34, or 35 of title 38, United States Code.

''(iii) Chapter 101, 105, 106A, 1606, 1607, or 1608 of title 10, United States Code.

''(iv) Section 1784a of title 10, United States Code.''.

(b) DEPARTMENT OF DEFENSE AND DEPARTMENT OF VETERANS AFFAIRS ACTIONS ON INELIGIBILITY OF CERTAIN PROPRIETARY INSTITUTIONS OF HIGHER EDUCATION FOR PARTICIPATION IN PROGRAMS OF EDUCATIONAL ASSISTANCE.—

(1) DEPARTMENT OF DEFENSE.—

(A) IN GENERAL.—Chapter 101 of title 10, United States Code, is amended by inserting after section 2008 the following new section:

''§ 2008a. Ineligibility of certain proprietary institutions of higher education for participation in Department of Defense programs of educational assistance

''(a) IN GENERAL.—Upon receipt of a notice from the Secretary of Education under clause (iii) of section 487(d)(2)(A) of the Higher Education Act of 1965 (20 U.S.C. 1094(d)(2)(A)) that a proprietary institution of higher education is ineligible for participation in or receipt of funds under any program of Federal educational assistance by reason of such section, the Secretary of Defense shall ensure that no educational assistance under the provisions of law specified in subsection (b) is available or used for education at the institution for the period of institutional fiscal years covered by such notice.

''(b) COVERED ASSISTANCE.—The provisions of law specified in this subsection are the provisions of law on educational assistance through the Department of Defense as follows:

''(1) This chapter.

''(2) Chapters 105, 106A, 106A, 1606, 1607, and 1608 of this title.

''(3) Section 1784a of this title.

''(c) NOTICE ON INELIGIBILITY.—(1) The Secretary of Defense shall take appropriate actions to notify persons receiving or eligible for educational assistance under the provisions of law specified in subsection (b) of the application of the limitations in section 487(d)(2) of the Higher Education Act of 1965 to particular proprietary institutions of higher education.

''(2) The actions taken under this subsection with respect to a proprietary institution shall include publication, on the Internet website of the Department of Defense that provides information to persons described in paragraph (1), of the following:

''(A) The name of the institution.

''(B) The extent to which the institution failed to meet the requirements of section 487(a)(24) of the Higher Education Act of 1965.

''(C) The length of time the institution will be ineligible for participation in or receipt of funds under any program of Federal educational assistance by reason of section 487(d)(2)(A) of that Act.

''(D) The nonavailability of educational assistance through the Department for enrollment, attendance, or pursuit of a program of education at the institution by reason of such ineligibility.''.

(B) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 101 of such title is amended by inserting after the item relating to section 2008 the following new item:

''2008a. Ineligibility of certain proprietary institutions of higher education for participation in Department of Defense programs of educational assistance.''.

(2) DEPARTMENT OF VETERANS AFFAIRS.—

(A) IN GENERAL.—Subchapter II of chapter 36 of title 38, United States Code, is amended by inserting after section 3681 the following new section:

"§ 3681A. Ineligibility of certain proprietary institutions of higher education for participation in Department of Veterans Affairs programs of educational assistance

"(a) IN GENERAL.—Upon receipt of a notice from the Secretary of Education under clause (iii) of section 487(d)(2)(A) of the Higher Education Act of 1965 (20 U.S.C. 1094(d)(2)(A)) that a proprietary institution of higher education is ineligible for participation in or receipt of funds under any program of Federal educational assistance by reason of such section, the Secretary of Veterans Affairs shall ensure that no educational assistance under the provisions of law specified in subsection (b) is available or used for education at the institution for the period of institutional fiscal years covered by such notice.

"(b) COVERED ASSISTANCE.—The provisions of law specified in this subsection are the provisions of law on educational assistance through the Department under chapters 30, 31, 32, 33, 34, and 35 of this title.

"(c) NOTICE ON INELIGIBILITY.—(1) The Secretary of Veterans Affairs shall take appropriate actions to notify persons receiving or eligible for educational assistance under the provisions of law specified in subsection (b) of the application of the limitations in section 487(d)(2) of the Higher Education Act of 1965 to particular proprietary institutions of higher education.

"(2) The actions taken under this subsection with respect to a proprietary institution shall include publication, on the Internet website of the Department that provides information to persons described in paragraph (1), of the following:

"(A) The name of the institution.

"(B) The extent to which the institution failed to meet the requirements of section 487(a)(24) of the Higher Education Act of 1965.

"(C) The length of time the institution will be ineligible for participation in or receipt of funds under any program of Federal educational assistance by reason of section 487(d)(2)(A) of that Act.

"(D) The nonavailability of educational assistance through the Department for enrollment, attendance, or pursuit of a program of education at the institution by reason of such ineligibility.".

(B) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 36 of such title is amended by inserting after the item relating to section 3681 the following new item:

"3681A. Ineligibility of certain proprietary institutions of higher education for participation in Department of Veterans Affairs programs of educational assistance.".

SA 899. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 583. AUTHORIZATION OF THE BEYOND THE YELLOW RIBBON PROGRAM.

(a) IN GENERAL.—The Secretary of Defense may carry out the Beyond the Yellow Ribbon program.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out the Beyond the Yellow Ribbon program $20,000,000 for fiscal year 2018 and each fiscal year thereafter.

SA 900. Mr. CARDIN (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 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 appropriate place, insert the following:

SEC. ___. REPORT ON THE NATIONAL BIODEFENSE ANALYSIS AND COUNTERMEASURES CENTER (NBACC) AND LIMITATION ON USE OF FUNDS.

(a) REPORT.—Not later than December 31, 2017, the Secretary of Homeland Security and the Secretary of Defense shall jointly submit to the appropriate Congressional committees a report, prepared in consultation with the officials listed in subsection (b), on the National Biodefense Analysis and Countermeasures Center (referred to in this section as the "NBACC") containing the following information:

(1) The functions of the NBACC.

(2) The end users of the NBACC, including end users whose assets may be managed by other agencies.

(3) The cost and mission impact for each user identified under paragraph (2) of any potential closure of the NBACC, including an analysis of the functions of the NBACC that cannot be replicated by other departments and agencies of the Federal Government.

(4) In the case of closure of the NBACC, a transition plan for any essential functions currently performed by the NBACC to ensure mission continuity, including the storage of samples needed for ongoing criminal cases.

(b) CONSULTATION.—The officials listed in this subsection are the following:

(1) The Director of the Federal Bureau of Investigation.

(2) The Attorney General.

(3) The Director of National Intelligence.

(4) As determined by the Secretary of Homeland Security, the leaders of other offices that utilize the NBACC.

(c) FORM.—The report submitted under subsection (a) shall be submitted in unclassified form, but may contain a classified annex.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—For purposes of this section, the term "appropriate Congressional Committees" means—

(1) the Committee on Appropriations of the Senate;

(2) the Committee on Appropriations of the House of Representatives;

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

(4) the Committee on Armed Services of the House of Representatives;

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

(6) the Committee on Homeland Security of the House of Representatives;

(7) the Committee on Judiciary of the Senate;

(8) the Committee on the Judiciary of the House of Representatives;

(9) the Committee on Oversight and Government Reform of the House of Representatives;

(10) the Select Committee on Intelligence of the Senate; and

(11) the Permanent Select Committee on Intelligence of the House of Representatives.

(e) TRANSITION PERIOD.—The report submitted under subsection (a) shall include a transition adjustment period of not less than 1 year after the date of enactment of this Act, or 180 days after the date on which the report required in under this section is submitted to Congress, whichever is later, during which none of the funds authorized to be appropriated under this Act or any other Act may be used to support the closure, transfer, or other diminishment of the NBACC or its functions.

SA 901. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 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 I, add the following:

SEC. ____. PLAN FOR MODERNIZATION OF THE RADAR FOR F–16 FIGHTER AIRCRAFT OF THE NATIONAL GUARD.

(a) MODERNIZATION PLAN REQUIRED.—The Secretary of the Air Force shall develop a plan to modernize the radars of F–16 fighter aircraft of the National Guard by replacing legacy mechanically-scanned radars for such aircraft with AESA radars.

(b) REPORT.—Not later 180 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees the plan developed pursuant to subsection (a).

SA 902. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

In section 123(a), strike "procurement of V–22 aircraft" and all that follows through "five years" and insert the following: "procurement of V–22 aircraft and common configuration-readiness and modernization upgrades for the V–22 aircraft. Notwithstanding subsection (k) of such section 2306b, the Secretary of Defense may enter into a multiyear contract under this section for up to seven years".

SA 903. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 737. FEASIBILITY STUDY ON CONDUCT OF PILOT PROGRAM ON MENTAL HEALTH READINESS OF PART-TIME MEMBERS OF THE RESERVE COMPONENTS OF THE ARMED FORCES.

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

the Secretary of Defense shall conduct a feasibility study and cost estimate for a pilot program that uses predictive analytics and screening to identify mental health risk and provide early, targeted intervention for part-time members of the reserve components of the Armed Forces to improve readiness and mission success.

(b) ELEMENTS.—The feasibility study conducted under subsection (a) shall include elements to assess the following with respect to the pilot program studied under such subsection:

(1) The anticipated improvement in quality of behavioral health services for part-time members of the reserve components of the Armed Forces and the impact of such improvement in quality of behavioral health services on their families and employers.

(2) The anticipated impact on the culture surrounding behavioral health treatment and help-seeking behavior.

(3) The feasibility of embedding mental health professionals with units that—

(A) perform core mission sets and capabilities; and

(B) carry out high-risk and high-demand missions.

(4) The particular preventative mental health needs of units at different states of their operational readiness cycle.

(5) The need for additional personnel of the Department of Defense to implement the pilot program.

(6) The cost of implementing the pilot program throughout the reserve components of the Armed Forces.

(7) The benefits of an integrated operational support team for the Air National Guard and Army National Guard units.

(c) COMPARISON TO FULL-TIME MEMBERS OF RESERVE COMPONENTS.—As part of the feasibility study conducted under subsection (a), the Secretary shall assess the mental health risk of part-time members of the reserve components of the Armed Forces as compared to full-time members of the reserve components of the Armed Forces.

(d) USE OF EXISTING MODELS.—In conducting the feasibility study under subsection (a), the Secretary shall make use of existing models for preventative mental health care, to the extent practicable, such as the approach developed by the United States Air Force School of Aerospace Medicine.

SA 904. Ms. BALDWIN (for herself and Mr. MORAN) submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1088. PREVENTION OF CERTAIN HEALTH CARE PROVIDERS FROM PROVIDING NON-DEPARTMENT HEALTH CARE SERVICES TO VETERANS.

(a) IN GENERAL.—On and after the date that is one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall deny or revoke the eligibility of a health care provider to provide non-Department health care services to veterans if the Secretary determines that the health care provider—

(1) was removed from employment with the Department of Veterans Affairs due to conduct that violated a policy of the Department relating to the delivery of safe and appropriate health care;

(2) violated the requirements of a medical license of the health care provider;

(3) had a Department credential revoked and the grounds for such revocation impacts the ability of the health care provider to deliver safe and appropriate health care; or

(4) violated a law for which a term of imprisonment of more than one year may be imposed.

(b) PERMISSIVE ACTION.—On and after the date that is one year after the date of the enactment of this Act, the Secretary may deny, revoke, or suspend the eligibility of a health care provider to provide non-Department health care services if the Secretary has reasonable belief that such action is necessary to immediately protect the health, safety, or welfare of veterans and—

(1) the health care provider is under investigation by the medical licensing board of a State in which the health care provider is licensed or practices;

(2) the health care provider has entered into a settlement agreement for a disciplinary charge relating to the practice of medicine by the health care provider; or

(3) the Secretary otherwise determines that such action is appropriate under the circumstances.

(c) SUSPENSION.—The Secretary shall suspend the eligibility of a health care provider to provide non-Department health care services to veterans if the health care provider is suspended from serving as a health care provider of the Department.

(d) INITIAL REVIEW OF DEPARTMENT EMPLOYMENT.—Not later than one year after the date of the enactment of this Act, with respect to each health care provider providing non-Department health care services, the Secretary shall review the status of each such health care provider as an employee of the Department and the history of employment of each such health care provider with the Department to determine whether the health care provider is described in any of subsections (a) through (c).

(e) COMPTROLLER GENERAL REPORT.—Not later than two years after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on the implementation by the Secretary of this section, including the following:

(1) The aggregate number of health care providers denied or suspended under this section from participation in providing non-Department health care services.

(2) An evaluation of any impact on access to health care for patients or staffing shortages in programs of the Department providing non-Department health care services.

(3) An explanation of the coordination of the Department with the medical licensing boards of States in implementing this section, the amount of involvement of such boards in such implementation, and efforts by the Department to address any concerns raised by such boards with respect to such implementation.

(4) Such recommendations as the Comptroller General considers appropriate regarding harmonizing eligibility criteria between health care providers of the Department and health care providers eligible to provide non-Department health care services.

(f) NON-DEPARTMENT HEALTH CARE SERVICES DEFINED.—In this section, the term ''non-Department health care services'' means services—

(1) provided under subchapter I of chapter 17 of title 38, United States Code, at non-Department facilities (as defined in section 1701 of such title);

(2) provided under section 101 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note);

(3) purchased through the Medical Community Care account of the Department; or

(4) purchased with amounts deposited in the Veterans Choice Fund under section 802 of the Veterans Access, Choice, and Accountability Act of 2014.

SA 905. Ms. HEITKAMP submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 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 X, add the following:

SEC. _____. SENSE OF CONGRESS ON USE OF TEST SITES FOR RESEARCH AND DEVELOPMENT ON COUNTERING UNMANNED AIRCRAFT SYSTEMS.

It is the sense of Congress that—

(1) the armed unmanned aircraft systems deployed by adversaries for military purposes pose a threat to military installations, critical infrastructure, and members of the Armed Forces in conflict areas like Iraq and Syria;

(2) the unmanned aircraft systems test sites designated by the Federal Aviation Administration offer unique capabilities, expertise, and airspace for research and development related to unmanned aircraft systems; and

(3) the Armed Forces should, as appropriate and to the extent practicable, seek to leverage the test sites described in paragraph (2) for research and development on capabilities to counter the nefarious use of unmanned aircraft systems.

SA 906. Mr. INHOFE (for himself, Mr. CORNYN, Mr. ROUNDS, Mr. ISAKSON, Mr. CASSIDY, Mr. STRANGE, Mr. ROBERTS, Mr. WICKER, and Mr. ALEXANDER) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 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 830.

SA 907. Mr. ROUNDS submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 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 appropriate place, insert the following:

TITLE ___—PROTECT OUR MILITARY FAMILIES' 2ND AMENDMENT RIGHTS

SEC. __01. SHORT TITLE.

This title may be cited as the ''Protect Our Military Families' 2nd Amendment Rights Act''.

SEC. __02. RECEIPT OF FIREARM OR AMMUNITION BY SPOUSE OF MEMBER OF THE ARMED FORCES AT A DUTY STATION OF THE MEMBER OUTSIDE THE UNITED STATES.

Section 925(a)(3) of title 18, United States Code, is amended—

(1) by inserting '', or to the spouse of such a member,'' before ''or to'';

(2) by striking ''members,'' and inserting ''members and spouses,'';

(3) by striking ''members or'' and inserting ''members, spouses, or''; and

(4) by striking ''member or'' and inserting ''member, spouse, or''.

SEC. __03. RESIDENCY OF SPOUSES OF MEMBERS OF THE ARMED FORCES TO BE DETERMINED ON THE SAME BASIS AS THE RESIDENCY OF SUCH MEMBERS FOR PURPOSES OF FEDERAL FIREARMS LAWS.

Section 921(b) of title 18, United States Code, is amended to read as follows:

''(b) For purposes of this chapter, a member of the Armed Forces on active duty, or a spouse of such a member, is a resident of—

''(1) the State in which the member or spouse maintains legal residence;

''(2) the State in which the permanent duty station of the member is located; and

''(3) the State in which the member maintains a place of abode from which the member commutes each day to the permanent duty station of the member.''.

SEC. __04. EFFECTIVE DATE.

The amendments made by this title shall apply to conduct engaged in after the 6-month period that begins on the date of the enactment of this Act.

SA 908. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 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 III, add the following:

SEC. 3____. MODIFICATION OF THE SECOND DIVISION MEMORIAL.

(a) AUTHORIZATION.—The Second Indianhead Division Association, Inc., Scholarship and Memorials Foundation, an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of that Code, may place additional commemorative elements or engravings on the raised platform or stone work of the existing Second Division Memorial located in President's Park, between 17th Street Northwest and Constitution Avenue in the District of Columbia, to further honor the members of the Second Infantry Division who have given their lives in service to the United States.

(b) APPLICATION OF COMMEMORATIVE WORKS ACT.—Chapter 89 of title 40, United States Code (commonly known as the ''Commemorative Works Act''), shall apply to the design and placement of the commemorative elements or engravings authorized under subsection (a).

(c) FUNDING.—Federal funds may not be used for modifications of the Second Division Memorial authorized under subsection (a).

SA 909. Mr. DURBIN (for himself, Mr. MURPHY, Ms. WARREN, Mr. CARPER, and Mr. BROWN) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ___. PROPRIETARY INSTITUTIONS OF HIGHER EDUCATION.

(a) DEFINITION.—Section 102(b) of the Higher Education Act of 1965 (20 U.S.C. 1002(b)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (D), by striking ''and'' after the semicolon;

(B) in subparagraph (E), by striking the period and inserting ''; and''; and

(C) by adding at the end the following:

''(F) meets the requirements of paragraph (2).'';

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (1) the following:

''(2) REVENUE SOURCES.—

''(A) IN GENERAL.—In order to qualify as a proprietary institution of higher education under this subsection, an institution shall derive not less than 15 percent of the institution's revenues from sources other than Federal funds, as calculated in accordance with subparagraphs (B) and (C).

''(B) FEDERAL FUNDS.—In this paragraph, the term 'Federal funds' means any Federal financial assistance provided, under this Act or any other Federal law, through a grant, contract, subsidy, loan, guarantee, insurance, or other means to a proprietary institution, including Federal financial assistance that is disbursed or delivered to an institution or on behalf of a student or to a student to be used to attend the institution, except that such term shall not include any monthly housing stipend provided under the Post-9/11 Veterans Educational Assistance Program under chapter 33 of title 38, United States Code.

''(C) IMPLEMENTATION OF NON-FEDERAL REVENUE REQUIREMENT.—In making calculations under subparagraph (A), an institution of higher education shall—

''(i) use the cash basis of accounting;

''(ii) consider as revenue only those funds generated by the institution from—

''(I) tuition, fees, and other institutional charges for students enrolled in programs eligible for assistance under title IV;

''(II) activities conducted by the institution that are necessary for the education and training of the institution's students, if such activities are—

''(aa) conducted on campus or at a facility under the control of the institution;

''(bb) performed under the supervision of a member of the institution's faculty; and

''(cc) required to be performed by all students in a specific educational program at the institution; and

''(III) a contractual arrangement with a Federal agency for the purpose of providing job training to low-income individuals who are in need of such training;

''(iii) presume that any Federal funds that are disbursed or delivered to an institution on behalf of a student or directly to a student will be used to pay the student's tuition, fees, or other institutional charges, regardless of whether the institution credits such funds to the student's account or pays such funds directly to the student, except to the extent that the student's tuition, fees, or other institutional charges are satisfied by—

''(I) grant funds provided by an outside source that—

''(aa) has no affiliation with the institution; and

''(bb) shares no employees with the institution; and

''(II) institutional scholarships described in clause (v);

''(iv) include no loans made by an institution of higher education as revenue to the school, except for payments made by students on such loans;

''(v) include a scholarship provided by the institution—

''(I) only if the scholarship is in the form of monetary aid based upon the academic achievements or financial need of students, disbursed to qualified student recipients during each fiscal year from an established restricted account; and

''(II) only to the extent that funds in that account represent designated funds, or income earned on such funds, from an outside source that—

''(aa) has no affiliation with the institution; and

''(bb) shares no employees with the institution; and

''(vi) exclude from revenues—

''(I) the amount of funds the institution received under part C of title IV, unless the institution used those funds to pay a student's institutional charges;

''(II) the amount of funds the institution received under subpart 4 of part A of title IV;

''(III) the amount of funds provided by the institution as matching funds for any Federal program;

''(IV) the amount of Federal funds provided to the institution to pay institutional charges for a student that were refunded or returned; and

''(V) the amount charged for books, supplies, and equipment, unless the institution includes that amount as tuition, fees, or other institutional charges.

''(D) REPORT TO CONGRESS.—Not later than July 1, 2018, and by July 1 of each succeeding year, the Secretary shall submit to the authorizing committees a report that contains, for each proprietary institution of higher education that receives assistance under title IV and as provided in the audited financial statements submitted to the Secretary by each institution pursuant to the requirements of section 487(c)—

''(i) the amount and percentage of such institution's revenues received from Federal funds; and

''(ii) the amount and percentage of such institution's revenues received from other sources.''.

(b) PROGRAM PARTICIPATION AGREEMENTS.—Section 487 of the Higher Education Act of 1965 (20 U.S.C. 1094) is amended—

(1) in subsection (a)—

(A) by striking paragraph (24);

(B) by redesignating paragraphs (25) through (29) as paragraphs (24) through (28), respectively;

(C) in paragraph (24)(A)(ii) (as redesignated by subparagraph (B)), by striking ''subsection (e)'' and inserting ''subsection (d)''; and

(D) in paragraph (26) (as redesignated by subparagraph (B)), by striking ''subsection (h)'' and inserting ''subsection (g)'';

(2) by striking subsection (d);

(3) by redesignating subsections (e) through (j) as subsections (d) through (i), respectively;

(4) in subsection (f)(1) (as redesignated by paragraph (3)), by striking ''subsection (e)(2)'' and inserting ''subsection (d)(2)''; and

(5) in subsection (g)(1) (as redesignated by paragraph (3)), by striking ''subsection (a)(27)'' in the matter preceding subparagraph (A) and inserting ''subsection (a)(26)''.

(c) CONFORMING AMENDMENTS.—The Higher Education Act of 1965 (20 U.S.C. 1001 et seq.) is amended—

(1) in section 152 (20 U.S.C. 1019a)—

(A) in subsection (a)(1)(A), by striking ''subsections (a)(27) and (h) of section 487'' and inserting ''subsections (a)(26) and (g) of section 487''; and

(B) in subsection (b)(1)(B)(i)(I), by striking ''section 487(e)'' and inserting ''section 487(d)'';

(2) in section 153(c)(3) (20 U.S.C. 1019b(c)(3)), by striking ''section 487(a)(25)'' each place the term appears and inserting ''section 487(a)(24)'';

(3) in section 496(c)(3)(A) (20 U.S.C. 1099b(c)(3)(A)), by striking ''section 487(f)'' and inserting ''section 487(e)''; and

(4) in section 498(k)(1) (20 U.S.C. 1099c(k)(1)), by striking ''section 487(f)'' and inserting ''section 487(e)''.

SA 910. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ___. USE OF PRIVATE CONTRACTORS.

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

(1) combat operations, actions, and combat-enabling support to operations such as close air support, are inherently government functions that cannot be appropriately carried out by private contractors; and

(2) the United States Government should respect the sovereignty of democratically elected governments over their territory.

(b) LIMITATIONS ON USE OF PRIVATE CONTRACTORS.—

(1) PROHIBITION ON USE IN COMBAT OPERATIONS.—No department or agency of the United States Government may employ a private contractor to conduct combat operations, or embed a private contractor with foreign military units to engage directly in combat operations.

(2) COMPLIANCE WITH INTERNATIONAL LAW IN OTHER ACTIVITIES.—Any department or agency of the United States Government that employs a private contractor to conduct activities not otherwise prohibited by paragraph (1) shall ensure that such contractor—

(A) acts in the conduct of such activities in accordance with principles, standards, and codes of conduct based on international law; and

(B) participates in oversight and accountability mechanisms to ensure that its actions in the conduct of such activities accord with such principles, standards, and codes of conduct.

(3) WAIVER.—The Secretary of Defense may waive the prohibition in paragraph (1) or a requirement in paragraph (2) with respect to a private contractor if the Secretary determines that the waiver is necessary for reasons of national security of the United States. The Secretary shall notify the appropriate committees of Congress in writing of any such waiver, and the reasons for such waiver, not later than 48 hours after making the determination on which such waiver is based.

(4) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term ''appropriate committees of Congress'' means—

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

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

SA 911. Mr. CARDIN (for himself, Mr. BENNET, Mr. MERKLEY, Mr. BLUMENTHAL, Ms. WARREN, Mr. VAN HOLLEN, Mrs. GILLIBRAND, Ms. BALDWIN, Mr. HEINRICH, Mr. DURBIN, Mr. CASEY, and Mr. LEAHY) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

Subtitle H—Commission to End Russian Interference in United States Elections

SEC. 1090. ESTABLISHMENT OF COMMISSION.

There is established an independent commission, which shall be known as the ''Commission to End Russian Interference in United States Elections'' (referred to in this subtitle as the ''Commission'').

SEC. 1091. FUNCTIONS.

The Commission shall—

(1) comprehensively examine the facts regarding the extent of Russian official and unofficial cyber operations and other attempts to interfere in the 2016 United States national election;

(2) examine attempts by the Russian Government, persons or entities associated with the Russian Government, or other persons or entities within Russia to use cyber-enabled means to access, alter, or otherwise tamper with—

(A) United States electronic voting systems;

(B) United States voter roll information;

(C) the Democratic National Committee;

(D) the Democratic Congressional Campaign Committee;

(E) the Democratic Governors Association;

(F) the Republican National Committee;

(G) the Republican Congressional Campaign Committee;

(H) the Republican Governors Association;

(I) Donald J. Trump for President, Inc.; and

(J) Hillary for America (the Hillary Clinton Presidential campaign);

(3) examine efforts by the Russian Government, persons or entities associated with the Russian Government, or persons or entities within Russia to generate, put forward, disseminate, or promote propaganda relevant to any election for public office held in the United States during 2016;

(4) examine efforts by the Russian Government to collaborate with other governments, entities, or individuals to carry out activities described in paragraphs (2) and (3);

(5) examine attempts or activities by governments, persons associated with a government, entities, and individuals other than those described in paragraph (3) to use electronic means to influence, interfere with, or sow distrust in elections for public office held in the United States during 2016;

(6) ascertain, evaluate, and report on the evidence developed by all relevant government agencies, including the Department of State, the Office of the Director of National Intelligence, the Central Intelligence Agency, the National Security Agency, the Department of Homeland Security, the Federal Bureau of Investigation, the Department of Defense, and State election commissions, regarding the facts and circumstances surrounding Russia's interference with elections for public office held in the United States during 2016;

(7) review and build upon the findings of completed or ongoing efforts to the investigate such Russian interference, including investigations or inquires conducted by—

(A) the Administration of President Barack Obama;

(B) the Select Committee on Intelligence of the Senate;

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

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

(E) the Committee on the Judiciary of the Senate; and

(F) other executive branch, congressional, or independent entities;

(8) make a full accounting of—

(A) the circumstances surrounding official and unofficial attempts to interfere in the 2016 United States election, including through cyber operations and the promotion of propaganda or other disinformation;

(B) the level of preparedness of Federal, State, and local governments to defend against such interference; and

(C) the United States response to such interference; and

(9) submit a report to the President and Congress, in accordance with section 1098, on the findings, conclusions, and recommendations of the Commission on preventing the reoccurrence of such interference.

SEC. 1092. COMPOSITION.

(a) APPOINTMENTS.—

(1) IN GENERAL.—The Commission shall be composed of eight members, of which—

(A) two shall be appointed by the majority leader of the Senate;

(B) two shall be appointed by the minority leader of the Senate;

(C) two shall be appointed by the Speaker of the House of Representatives; and

(D) two shall be appointed by the minority leader of the House of Representatives.

(2) DEADLINE FOR APPOINTMENT.—Each initial member of the Commission shall be appointed not later than 30 days after the date of the enactment of this Act.

(3) PERIOD OF APPOINTMENT.—Each member of the Commission shall be appointed for the life of the Commission.

(b) QUALIFICATIONS.—

(1) POLITICAL PARTY AFFILIATION.—Not more than 4 members of the Commission may be members of the same political party.

(2) NONGOVERNMENTAL APPOINTEES.—None of the members of the Commission may be a Member of Congress (including a Delegate or Resident Commissioner to Congress), an officer or employee of the Federal Government, or an officer or employee of any State or local government.

(3) OTHER QUALIFICATIONS.—It is the sense of Congress that individuals appointed to the Commission should be prominent United States citizens, with national recognition and significant depth of experience in professions such as governmental service, law enforcement, armed services, law, public administration, intelligence gathering, cybersecurity, election administration, and foreign affairs.

(c) INITIAL MEETING; SELECTION OF CHAIRPERSON.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Commission shall hold an initial meeting to develop and implement a schedule for completing the review and report required under section 1091(9).

(2) CHAIRPERSON; VICE-CHAIRPERSON.—At the initial meeting of the Commission, the

Commission shall select a Chairperson and a Vice-Chairperson from among its members. The Chairperson and Vice-Chairperson may not be members of the same political party.

(d) QUORUM; VACANCIES.—

(1) QUORUM.—Six members of the Commission shall constitute a quorum.

(2) VACANCIES.—Any vacancy in the Commission shall not affect the power and duties of the Commission and shall be filled in accordance with subsection (a) not later than 90 days after the occurrence of such vacancy.

SEC. 1093. POWERS OF THE COMMISSION.

(a) IN GENERAL.—

(1) MEETINGS.—After its initial meeting under section 1092(c)(1), the Commission shall meet upon the call of the Chairperson or a majority of its members.

(2) HEARINGS AND EVIDENCE.—The Commission may—

(A) hold such hearings, sit and act at such times and places, take such testimony, receive such evidence, including classified testimony, evidence, and information, and administer such oaths as may be necessary to carry out its functions under section 1091; and

(B) require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents, including classified materials, as the Commission or such designated subcommittee or designated member may determine advisable to carry out such functions.

(3) SUBPOENAS.—

(A) ISSUANCE.—

(i) IN GENERAL.—A subpoena may be issued under this subsection only by the agreement of the Chairperson and the Vice-Chairperson or by the affirmative vote of 5 members of the Commission.

(ii) SIGNATURE.—Subpoenas issued under this subsection—

(I) may be issued under the signature of the Chairperson or any member designated by a majority of the Commission; and

(II) may be served by any person designated by the Chairperson or by a member designated by a majority of the Commission.

(B) ENFORCEMENT.—

(i) IN GENERAL.—In the case of contumacy or failure to obey a subpoena issued under this subsection, the United States district court for the judicial district in which the subpoenaed person resides, is served, or may be found, or where the subpoena is returnable, may issue an order requiring such person to appear at any designated place to testify or to produce documentary or other evidence. Any failure to obey the order of the court may be punished by the court as a contempt of that court.

(ii) ADDITIONAL ENFORCEMENT.—If any witness fails to comply with any subpoena issued under this subsection or to testify when summoned under authority of this subsection, the Commission may, by majority vote, certify a statement of fact constituting such failure to the appropriate United States attorney, who may bring the matter before the grand jury for its action, under the same statutory authority and procedures as if the United States attorney had received a certification under sections 102 through 104 of the Revised Statutes of the United States (2 U.S.C. 192 through 194).

(b) INFORMATION FROM FEDERAL AGENCIES.—

(1) IN GENERAL.—All Federal departments and agencies shall, in accordance with applicable procedures for the appropriate handling of classified information, provide reasonable access to documents, statistical data, and other such information that the Commission determines necessary to carry out its functions under section 1091.

(2) OBTAINING INFORMATION.—The Chairperson of the Commission shall submit a written request, as necessary, to the head of an agency described in paragraph (1) for access to documents, statistical data, and other information described in such paragraph that is under the control of such agency.

(3) RECEIPT, HANDLING, STORAGE, AND DISSEMINATION.—Information described in paragraph (1) may only be received, handled, stored and disseminated by members of the Commission and its staff in accordance with all applicable statutes, regulations, and Executive orders.

(c) ASSISTANCE FROM FEDERAL AGENCIES.—

(1) GENERAL SERVICES ADMINISTRATION.—The Administrator of General Services shall make office space available for the day-to-day activities of the Commission and for scheduled meetings of the Commission. Upon request, the Administrator shall provide, on a reimbursable basis, such administrative support as the Commission requests to fulfill its duties.

(2) OTHER DEPARTMENTS AND AGENCIES.—In addition to the assistance required under paragraph (1), other Federal departments and agencies may provide to the Commission such services, funds, facilities, staff, and other support services as the heads of such entities determine advisable in accordance with applicable law.

(d) POSTAL SERVICES.—The Commission may use the United States mails in the same manner and under the same conditions as other Federal departments and agencies.

(e) AUTHORITY TO CONTRACT.—

(1) IN GENERAL.—Subject to subtitle I of title 40, United States Code, and division C of subtitle I of title 41, United States Code (formerly collectively known as the ''Federal Property and Administrative Services Act of 1949''), the Commission is authorized to enter into contracts with Federal and State agencies, private firms, institutions, and individuals for the conduct of activities necessary to the discharge of its duties under section 1091.

(2) TERMINATION.—Any contract, lease, or other legal agreement entered into by the Commission under this subsection may not extend beyond the date specified in section 1099.

SEC. 1094. STAFF OF THE COMMISSION.

(a) DIRECTOR.—The Commission shall have a Director, who shall be—

(1) appointed by a majority vote of the Commission; and

(2) paid at a rate not to exceed the rate of basic pay for level IV of the Executive Schedule, as set forth in section 5315 of title 5, United States Code.

(b) STAFF.—

(1) IN GENERAL.—With the approval of the Commission, the Director may appoint such personnel as the Director determines to be appropriate. Such personnel shall be paid at a rate not to exceed the rate of basic pay for level IV of the Executive Schedule, as set forth in section 5315 of title 5, United States Code.

(2) ADDITIONAL STAFF.—The Commission may appoint and fix the compensation of such other personnel as may be necessary to enable the Commission to carry out its duties, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that no rate of pay fixed under this subsection may exceed the equivalent of that payable to a person occupying a position at level V of the Executive Schedule, as set forth in section 5316 of such title.

(c) EXPERTS AND CONSULTANTS.—With the approval of the Commission, the Director may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, but at rates not to exceed the rate of basic pay for level IV of the Executive Schedule.

(d) DETAILEES.—Upon the request of the Commission, any Federal Government employee may be detailed to the Commission without reimbursement from the Commission, and such detailee shall retain the rights, civil service status, and privileges of his or her regular employment without interruption.

SEC. 1095. NONAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.

(a) IN GENERAL.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Commission.

(b) PUBLIC MEETINGS AND RELEASE OF PUBLIC VERSIONS OF REPORTS.—The Commission shall—

(1) hold public hearings and meetings to the extent appropriate; and

(2) release public versions of the reports required under section 1098.

(c) PUBLIC HEARINGS.—Any public hearings of the Commission shall be conducted in a manner consistent with the protection of information provided to or developed for or by the Commission as required under any applicable statute, regulation, or Executive order.

SEC. 1096. COMPENSATION AND TRAVEL EXPENSES.

(a) COMPENSATION.—Members of the Commission—

(1) shall not be considered to be Federal employees for any purpose by reason of service on the Commission; and

(2) shall serve without pay.

(b) TRAVEL EXPENSES.—While away from their homes or regular places of business in performance of services for the Commission, members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in accordance with section 5703 of title 5, United States Code.

SEC. 1097. SECURITY CLEARANCES FOR COMMISSION MEMBERS AND STAFF.

The appropriate Federal agencies or departments shall cooperate with the Commission to expeditiously provide, to the extent possible, appropriate security clearances to Commission members and staff in accordance with existing procedures and requirements, except that no person shall be provided with access to classified information under this subtitle without the appropriate security clearances.

SEC. 1098. REPORT.

(a) IN GENERAL.—Not later than 18 months after the first meeting of the Commission, the Commission shall submit a report to the Committee on Foreign Relations of the Senate, the Committee on Foreign Affairs of the House of Representatives, the Committee on the Judiciary of the Senate, the Committee on the Judiciary of the House of Representatives, the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Homeland Security of the House of Representatives, the Committee on Oversight and Government Reform of the House of Representatives, the Select Committee on Intelligence of the Senate, the Permanent Select Committee on Intelligence of the House of Representatives, the Committee on Armed Services of the Senate, and the Committee on Armed Services of the House of Representatives. The report shall include—

(1) a detailed statement of the recommendations, findings, and conclusions of the Commission under section 1091; and

(2) summaries of the input and recommendations of the leaders and organizations with which the Commission consulted.

(b) PUBLIC AVAILABILITY.—The report required under subsection (a) shall be submitted in an unclassified form, which shall be made available to the public, but may include a classified annex.

SEC. 1099. TERMINATION.

The Commission shall terminate on the date that is 60 days after the date on which the Commission submits its report to Congress pursuant to section 1098.

SA 912. Mr. BOOKER (for himself and Mr. BENNET) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, insert the following:

SEC. _____. PROHIBITION ON FUNDS FOR THE PRESIDENTIAL ADVISORY COMMISSION ON ELECTION INTEGRITY.

None of the funds appropriated or otherwise made available under an Act of Congress enacted before, on, or after the date of enactment of this Act may be made available for the Presidential Advisory Commission on Election Integrity established under Executive Order 13799 (82 Fed. Reg. 22389) or for any similar commission established for the purpose of studying voter fraud.

SA 913. Mr. VAN HOLLEN (for himself and Mr. PAUL) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 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 XV, add the following:

SEC. _____. REPORT ON BUDGET REQUESTS FOR FUNDING FOR THE DEPARTMENT OF DEFENSE FOR OVERSEAS CONTINGENCY OPERATIONS.

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

(1) In a January 18, 2017 report issued by the U.S. Government Accountability Office (GAO) on the Department of Defense's Overseas Contingency Operations, the GAO found that the criteria developed in 2010 by the Office of Management and Budget (OMB) in collaboration with the Department of Defense (DoD) for determining whether items belonged in the base budget or in OCO were outdated.

(2) The GAO also found that these outdated criteria did not address the full scope of activities included in DoD's fiscal year 2017 OCO budget request.

(3) According to the GAO, DoD officials agree that updated guidance is needed, but noted that OMB deferred the decision to update criteria until the new administration was in place in 2017

(4) The GAO also found that, without reevaluating and revising the criteria, decision makers may be hindered in their ability to set priorities and make funding trade-offs.

(5) In response to these findings, the GAO recommends that DOD, in collaboration with OMB, reevaluate and revise the criteria for determining what can be included in DOD's OCO budget requests; and that DOD develop a complete and reliable estimate of enduring OCO costs to report in future budget requests.

(b) REPORT.—At the same time as the submittal to Congress of the budget of the President for fiscal year 2019 pursuant to section 1105 of title 31, United States Code, the Secretary of Defense shall, with the concurrence of the Director of the Office of Management and Budget, submit to the congressional defense committees a report setting forth the following:

(1) The criteria used by the Department of Defense to determine whether funds requested for the Department for a fiscal year for purposes of the budget of the President for the fiscal year (as so submitted) are to be requested as funds for the Department for programs, activities, and operations for the fiscal year for overseas contingency operations.

(2) A current estimate of the recurring annual costs of the Department for programs, activities, and operations for overseas contingency operations.

SA 914. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. REIMBURSEMENT OF THE UNITED STATES BY CERTAIN PERSONS FOR EXPENSES OF TRAVEL DURING WHICH SUCH PERSONS CONDUCT PRIVATE BUSINESS.

(a) REIMBURSEMENT REQUIRED.—A covered person shall reimburse the United States for any expenses of travel provided the person at the expense of the Federal Government if the person conducts any private business during such travel or conducts any activity for personal financial gain during such travel.

(b) COVERED PERSONS.—For purposes of this section, a covered person is any person described by paragraph (1) or (2) of section 3056(a) of title 18, United States Code, regardless of whether the person was provided protection by the United States Secret Service during the travel concerned.

(c) EXPENSES REIMBURSEABLE.—The expenses of travel for which a covered person shall make reimbursement under subsection (a) are the actual costs with respect to the person during travel for the following:

(1) Travel.

(2) Protection by the United States Secret Service or another Federal entity.

(3) Lodging and accommodations.

(4) Meals.

(5) Incidental expenses.

(6) Any other expenses designated by the President in regulations prescribed for purposes of this section.

(d) PRIVATE BUSINESS.—For purposes of this section, private business shall consist of the discussion of, planning for, or carrying out of any commercial negotiation or commercial transaction on behalf of a covered person, or any entity in which a covered person holds a financial interest, which financially benefits a covered person or entity in which a covered person holds a financial interest.

(e) EXCEPTION.—Reimbursement for expenses of travel shall not be made by a covered person under subsection (a) for expenses borne by the person during the travel concerned.

(f) TREATMENT OF REIMBURSEMENTS.—Any reimbursements made pursuant to this section shall be deposited in the Treasury as miscellaneous receipts.

(g) REPORTS.—

(1) QUARTERLY REPORTS.—Not later than the first day of each fiscal year quarter, each covered person shall submit to the offices and committees of Congress referred to in paragraph (3) a report on reimbursements required to be made by such person under subsection (a) during the preceding fiscal year quarter.

(2) ELEMENTS.—Each report of a person under this paragraph shall set forth, for the fiscal year quarter covered by such report, the following:

(A) The expenses of travel of the person for which reimbursement was required to be made under subsection (a).

(B) The amount of reimbursement made under subsection for such expenses.

(3) OFFICES AND COMMITTEES OF CONGRESS.—The offices and committees of Congress referred to in this paragraph are the following:

(A) The Office of Government Ethics.

(B) The Committee on Homeland Security and Governmental Reform and the Select Committee on Ethics of the Senate.

(C) The Committee on Oversight and Government Reform and the Committee on Ethics of the House of Representatives.

(h) PROHIBITION ON ACQUISITION OF CERTAIN GOODS AND SERVICES.—No department, agency, or other entity of the Federal Government may purchase, rent, or otherwise acquire goods or services, including hotel rooms, office space, or golf carts, from any entity that is owned or operated by the President or any member of the immediate family of the President.

SA 915. Mr. KAINE submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 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 and insert the following:

SEC. 1606. LAUNCH SUPPORT AND INFRASTRUCTURE MODERNIZATION.

(a) IN GENERAL.—In support of the policy outlined in section 2273 of title 10, United States Code, the Secretary of Defense shall carry out a program to modernize infrastructure and improve support activities for processing and launch of United States national security space missions from Federal ranges.

(b) ELEMENTS.—The program required by this section shall include—

(1) investments in infrastructure to improve operations at Federal ranges in the United States that launch national security space missions that may benefit all users, to enhance the overall capabilities of those Federal ranges, to improve safety, and to reduce the long-term cost of operations and maintenance;

(2) measures to normalize processes, systems, and products across the Federal ranges described in paragraph (1) to minimize the burden on launch providers; and

(3) improvements in transparency, flexibility, and responsiveness for launch scheduling.

(c) CONSULTATION.—In carrying out the program required by this section, the Secretary should consult with current and anticipated users of Federal ranges in the United States that launch national security space missions.

(d) COOPERATION.—In carrying out this section, the Secretary should consider partnerships authorized under section 2276 of title 10, United States Code.

(e) REPORT.—

(1) REPORT REQUIRED.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the plan for the implementation of the launch support and infrastructure modernization program at Federal ranges in the United States that launch national security space missions.

(2) ELEMENTS.—The report required under paragraph (1) shall include—

(A) a description of plans and the resources needed to improve launch support infrastructure, utilities, support equipment, and Federal range operations;

(B) a description of plans to streamline and normalize processes, systems, and products at Federal ranges described in paragraph (1) to ensure consistency for range users; and

(C) recommendations for improving transparency, flexibility, and responsiveness in launch scheduling.

SA 916. Mr. MCCAIN (for Mr. RUBIO) submitted an amendment intended to be proposed by Mr. MCCAIN to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 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 appropriate place, insert the following:

SEC. _____. REPORT ON THE UNITED SERVICES MILITARY APPRENTICESHIP PROGRAM.

(a) REPORT REQUIRED.—No later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of Labor shall jointly submit to the appropriate congressional committees a report on the United Services Military Apprenticeship Program's operations and feasibility.

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

(1) A description of the apprenticeship program, potential certification options, and occupational areas of study.

(2) A discussion of potential recommendations for enhancing the apprenticeship program and recruiting new service members to participate in the program.

(3) An analysis of the effect of the apprenticeship program on the job placement of members of the Armed Forces transitioning to civilian careers.

(4) An analysis of the effect of the apprenticeship program on job promotions within the Armed Forces.

(5) An assessment of the communication and outreach between the United Services Military Apprenticeship Program and private employers.

(6) An analysis of estimated completion rates and potential administrative barriers impeding completion of the program.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the congressional defense committees; and

(2) the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate.

SA 917. Mr. MCCAIN (for Mr. RUBIO) submitted an amendment intended to be proposed by Mr. MCCAIN to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 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 X, add the following:

SEC. ____. REPORT ON HURRICANE DAMAGE TO DEPARTMENT OF DEFENSE ASSETS.

(a) IN GENERAL.—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 damage to Department of Defense assets and installations from hurricanes during 2017.

(b) ELEMENTS.—The report required under subsection (a) shall include the following elements:

(1) The results of a storm damage assessment.

(2) A description of affected military installations and assets.

(3) A request for funding to initiate the repair and replacement of damaged facilities and assets, including necessary upgrades to existing facilities to make them compliant with current hurricane standards, and to cover any unfunded requirements for military construction at affected military installations.

SA 918. Mr. MCCAIN (for Mr. RUBIO) submitted an amendment intended to be proposed by Mr. MCCAIN to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 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 appropriate place, insert the following:

SEC. ____. EAST COAST HOMEPORT FOR NUCLEAR-POWERED AIRCRAFT CARRIERS.

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

(1) Mayport Naval Station, Florida, has served as a homeport for aircraft carriers.

(2) In 2009, the United States Navy submitted its decision to establish a second East Coast homeport for nuclear-powered aircraft carriers to strategically disperse the capital fleet.

(3) The decision to make Mayport Naval Station capable of homeporting a nuclear-powered aircraft carrier was endorsed by the 2010 Quadrennial Defense Review.

(b) DEVELOPMENT OF SECOND EAST COAST CVN HOMEPORT.—Not later than 180 days after the enactment of this Act, the Secretary of the Navy shall submit to the congressional defense committees a report on the Navy's plan for developing a second East Coast homeport for nuclear-powered aircraft carriers. The report shall include a schedule, by fiscal year, for funding the development of a second homeport for nuclear-powered aircraft carriers on the East Coast of the United States.

(c) AUTHORITY TO CARRY OUT CONSTRUCTION DESIGN.—Subject to subsection (b), the Secretary of the Navy may carry out construction design activities in connection with the military construction projects that the Secretary identifies as necessary for the improvement of the facilities located at Mayport Naval Station, Florida, so that such facilities may be used as the homeport of a nuclear powered aircraft carrier.

SA 919. Mr. MCCAIN (for Mr. RUBIO) submitted an amendment intended to be proposed by Mr. MCCAIN to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 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 appropriate place in subtitle C of title XVI, insert the following:

SEC. _____. REPORT ON TRAINING INFRASTRUCTURE FOR CYBER FORCES.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the Department of Defense training infrastructure for cyber forces. Such report shall include the following:

(1) Identification of the shortcomings in such training infrastructure.

(2) Potential commercial applications to address such shortcomings.

(3) Future projections of cyber force growth and urgent needs relating to such growth.

SA 920. Mr. MCCAIN (for Mr. RUBIO) submitted an amendment intended to be proposed by Mr. MCCAIN to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 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 appropriate place, insert the following:

SEC. ____. REPORT ON OPERATIONAL CAPACITY AT THE JOINT STRIKE FIGHTER (JSF) INITIAL JOINT TRAINING SITE AT EGLIN AIR FORCE BASE.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a plan for reaching full operational capacity at the Joint Strike Fighter (JSF) Initial Joint Training Site at Eglin Air Force Base, Florida, to provide operational flexibility across the services and interoperability with international partners.

(b) ELEMENTS.—The report required under subsection (a) shall include the following elements:

(1) An assessment of the Department of Defense's compliance with the 2005 Base Realignment and Closure (BRAC) decision to endorse the recommendation by the Secretary of Defense as enacted into law to establish Eglin Air Force Base, Florida, as an Initial Joint Training Site that teaches entry-level aviators and maintenance technicians how to safely operate and maintain the

new Joint Strike Fighter (JSF) (F–35) aircraft.

(2) An analysis of the impact effected by the Navy and Marine Corps drastically reducing their presence at Eglin Air Force Base on the intended outcome of this decision to allow the Interservice Training Review Organization process to establish a Department of Defense baseline program in a consolidated/joint school with curricula that permit services latitude to preserve service-unique culture and a faculty and staff that brings a ''Train as we fight: jointly'' national perspective to the learning process.

SA 921. Mr. MCCAIN (for Mr. RUBIO) submitted an amendment intended to be proposed by Mr. MCCAIN to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 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 appropriate place in title II, insert the following:

SEC. _____. AUTHORITY TO CARRY OUT SEA-BASED TESTING OF THE ELECTROMAGNETIC RAILGUN IN THE JOINT GULF RANGE COMPLEX.

(a) AUTHORITY TO CARRY OUT TEST.—Subject to subsection (b), the Secretary of the Navy may carry out integration testing and test-firing of the electromagnetic railgun using an existing Navy surface vessel as the Secretary identifies as necessary for the advancement of naval weaponry.

(b) REQUIREMENT RELATING TO TESTING.—The Secretary may not carry out testing under subsection (a) until the Secretary—

(1) identifies a Large Surface Combatant deemed to be decommissioned within Fiscal Year 2018 to be used as a test platform; and

(2) completes a study on using the Joint Gulf Range Complex as a test environment.

(c) TEST AUTHORITY.—This section may not be construed or interpreted as an authorization for the Secretary to commence or proceed the decommissioning of a Large Surface Combatant or to utilize any test environment other than the Joint Gulf Range Complex.

SA 922. Mr. MCCAIN (for Mr. RUBIO) submitted an amendment intended to be proposed by Mr. MCCAIN to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 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 X, add the following:

SEC. _____. UNMANNED AIRCRAFT SYSTEMS THAT POSE A THREAT TO THE SAFETY OR SECURITY OF CERTAIN DEPARTMENT OF DEFENSE FACILITIES AND ASSETS.

(a) AUTHORITY.—Notwithstanding any provision of title 18, United States Code, the Secretary of Defense may take, and may authorize the Armed Forces to take, such action described in subsection (b) as is necessary to mitigate the threat (as defined by the Secretary of Defense, in consultation with the Secretary of Transportation) that an unmanned aircraft system or unmanned aircraft poses to the safety or security of a covered facility or asset.

(b) FORFEITURE.—The action described in this subsection is the forfeiture to the United States of any unmanned aircraft system or unmanned aircraft that is seized by the Secretary of Defense or the Armed Forces as described in subsection (a).

(c) REGULATIONS.—The Secretary of Defense and the Secretary of Transportation may prescribe regulations and shall issue guidance in the respective areas of each Secretary to carry out this section.

(d) DEFINITIONS.—In this section:

(1) The term ''covered facility or asset'' means any facility or asset that—

(A) is identified by the Secretary of Defense for purposes of this section;

(B) is located in the United States (including the territories and possessions of the United States); and

(C) relates to—

(i) the nuclear deterrence mission of the Department of Defense, including with respect to nuclear command and control, integrated tactical warning and attack assessment, and continuity of government;

(ii) the missile defense mission of the Department; or

(iii) the national security space mission of the Department.

(2) The terms ''unmanned aircraft system'' and ''unmanned aircraft'' have the meaning given such terms in section 331 of the FAA Modernization and Reform Act of 2012 (Public Law 112–95; 49 U.S.C. 40101 note).

SA 923. Mr. MCCAIN (for Mr. RUBIO) submitted an amendment intended to be proposed by Mr. MCCAIN to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 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. _____. REPORT ON MILITARY ACTION OF SAUDI ARABIA AND ITS COALITIONS PARTNERS IN YEMEN.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary of Defense and the Secretary of State shall jointly submit to the appropriate congressional committees a report on military action of Saudi Arabia and its coalitions partners in Yemen.

(b) MATTERS TO BE INCLUDED.—The report required by subsection (a) shall include a description of the following:

(1) The extent to which the Government of Saudi Arabia and its coalition partners in Yemen are abiding by their ''No Strike List and Restricted Target List''.

(2) Roles played by United States military personnel with respect to operations of such coalition partners in Yemen.

(3) Progress made by the Government of Saudi Arabia in improving its targeting capabilities.

(4) Progress made by such coalition partners to implement the recommendations of the Joint Incident Assessment Team and participation if any by the United States in the implementation of such recommendations.

(5) Progress made toward implementation of United Nations Security Council Resolution 2216 (2015) or any successor United Nations Security Council resolution relating to the conflict in Yemen.

(c) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may contain a classified annex.

(d) TERMINATION.—This section shall terminate on—

(1) the date that is 2 years after the date of the enactment of this Act, or

(2) the date on which the Secretary of Defense and Secretary of State jointly certify to the appropriate congressional committees that the conflict in Yemen has come to a conclusion;

whichever occurs earlier.

(e) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the congressional defense committees; and

(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

SA 924. Mr. MCCAIN (for Mr. RUBIO) submitted an amendment intended to be proposed by Mr. MCCAIN to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 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 XII, add the following:

SEC. _____. REPORT ON USE BY THE GOVERNMENT OF IRAN OF COMMERCIAL AIRCRAFT AND RELATED SERVICES FOR ILLICIT ACTIVITIES.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the President, in consultation with the Secretary of Defense, the Secretary of State, and the Director of National Intelligence, shall submit to the appropriate congressional committees a report on use by the Government of Iran of commercial aircraft and related services for illicit activities.

(b) ELEMENTS OF REPORT.—The report required under subsection (a) shall include a description of the extent to which—

(1) the Government of Iran is using commercial aircraft, including aircraft of Iran Air, or related services to transport illicit cargo to or from Iran, including military goods, weapons, military personnel, military-related electronic parts and mechanical equipment, or rocket or missile components; and

(2) the commercial aviation sector of Iran, including Iran Air, is providing financial, material, or technological support to the Islamic Revolutionary Guard Corps, Iran's Ministry of Defense and Armed Forces Logistics, the Bashar al Assad Regime, Hezbollah, Hamas, Kata'ib Hezbollah, any organization designated as a foreign terrorist organization under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189), or any entity designated as a specially designated national and blocked person on the list maintained by the Office of Foreign Assets Control of the Department of the Treasury.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, and the Select Committee on Intelligence of the Senate; and

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

(d) SUNSET.—This section shall cease to be effective on the date that is 30 days after the date on which the President certifies to Congress that the Government of Iran has ceased providing support for acts of international terrorism.

SA 925. Mr. McCAIN (for Mr. RUBIO) submitted an amendment intended to be proposed by Mr. McCAIN to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 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 appropriate place, insert the following:

SEC. ____. TAIWAN TRAVEL POLICY.

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

(1) The Taiwan Relations Act (22 U.S.C. 3301 et seq.), enacted in 1979, has continued for 37 years to be the cornerstone of relations between the United States and Taiwan and has served as an anchor for peace and security in the Western Pacific area.

(2) The Taiwan Relations Act declares that peace and stability in the Western Pacific area are in the political, security, and economic interests of the United States and are matters of international concern.

(3) The United States considers any effort to determine the future of Taiwan by other than peaceful means, including by boycotts or embargoes, a threat to the peace and security of the Western Pacific and of grave concern to the United States.

(4) Taiwan has succeeded in a momentous transition to democracy beginning in the late 1980s and has been a beacon of democratic practices in Asia, and Taiwan's democratic achievements inspire many countries and people in the region.

(5) Visits to a country by United States cabinet members and other high-ranking officials are an indicator of the breadth and depth of ties between the United States and that country.

(6) Since the enactment of the Taiwan Relations Act, relations between the United States and Taiwan have suffered from insufficient high-level communication due to the self-imposed restrictions that the United States maintains on high-level visits with Taiwan.

(b) SENSE OF CONGRESS; STATEMENT OF POLICY.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that the United States Government should not place any restrictions on the travel of officials at any level of the United States Government to Taiwan to meet their Taiwanese counterparts or on the travel of high-level officials of Taiwan to enter the United States to meet with officials of the United States.

(2) STATEMENT OF POLICY.—It should be the policy of the United States—

(A) to allow officials at all levels of the United States Government, including cabinet-level national security officials, general officers, and other Executive Branch officials, to travel to Taiwan to meet their Taiwanese counterparts;

(B) to allow high-level officials of Taiwan to enter the United States, under conditions that demonstrate appropriate respect for the dignity of such officials, and to meet with officials of the United States, including officials from the Department of State and the Department of Defense and other cabinet agencies; and

(C) to encourage the Taipei Economic and Cultural Representative Office, and any other instrumentality established by Taiwan, to conduct business in the United States, including activities that involve participation by Members of Congress, officials of Federal, State, or local governments of the United States, or any high-level official of Taiwan.

(c) AUTHORITY.—Officials at all levels of the United States Government, including cabinet-level national security officials, general officers, and other Executive Branch officials, are hereby authorized to travel to Taiwan to meet their Taiwanese counterparts.

(d) SEMIANNUAL REPORTS.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary of State shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report on travel by United States Executive Branch officials to Taiwan.

SA 926. Mr. McCAIN (for Mr. RUBIO) submitted an amendment intended to be proposed by Mr. McCain to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 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 appropriate place, insert the following:

Subtitle ____—South China Sea and East China Sea Sanctions Act of 2017

SEC. ____01. SHORT TITLE.

This subtitle may be cited as the ''South China Sea and East China Sea Sanctions Act of 2017''.

SEC. ____02. FINDINGS.

Congress makes the following findings:

(1) According to the Asia-Pacific Maritime Security Strategy issued by the Department of Defense in August 2015, ''Although the United States takes no position on competing sovereignty claims to land features in the region, all such claims must be based upon land (which in the case of islands means naturally formed areas of land that are above water at high tide), and all maritime claims must derive from such land in accordance with international law.''.

(2) According to the annual report of the Department of Defense to Congress on the military power of the People's Republic of China submitted in April 2016, ''Throughout 2015, China continued to assert sovereignty claims over features in the East and South China Seas. In the East China Sea, China continued to use maritime law enforcement ships and aircraft to patrol near the Senkaku (Diaoyu) Islands in order to challenge Japan's claim. In the South China Sea, China paused its land reclamation effort in the Spratly Islands in late 2015 after adding more than 3,200 acres of land to the seven features it occupies in the archipelago. Although these artificial islands do not provide China with any additional territorial or maritime rights within the South China Sea, China will be able to use them as persistent civil-military bases to enhance its long-term presence in the South China Sea significantly.''.

(3) On May 30, 2015, at the Shangri-la Dialogue of the International Institute for Strategic Studies, Secretary of Defense Ashton Carter stated that ''with its actions in the South China Sea, China is out of step with both the international rules and norms that underscore the Asia-Pacific's security architecture, and the regional consensus that favors diplomacy and opposes coercion''.

(4) On July 24, 2015, Admiral Harry Harris, Jr., noted at a forum in Colorado that each year more than $5,300,000,000,000 in global sea-based trade passes through the South China Sea.

(5) On June 4, 2016, at the Shangri-la Dialogue, Secretary of Defense Ashton Carter stated: ''[T]he United States will stand with regional partners to uphold core principles, like freedom of navigation and overflight and the peaceful resolution of disputes through legal means and in accordance with international law. As I affirmed here last year, and America's Freedom of Navigation Operations in the South China Sea have demonstrated, the United States will continue to fly, sail and operate wherever international law allows, so that everyone in the region can do the same.''.

(6) On July 12, 2016, the Permanent Court of Arbitration's Tribunal organized pursuant to the United Nations Convention on the Law of the Sea issued its unanimous award in the arbitration instituted by Republic of the Philippines against the People's Republic of China. The Tribunal noted that its award is final and binding under that Convention.

(7) Also according to the award, the Tribunal ''concluded that, to the extent China had historical rights to resources in the waters of the South China Sea, such rights were extinguished to the extent they were incompatible with the exclusive economic zones provided for in the Convention. The Tribunal concluded that there was no legal basis for China to claim historic rights to resources within the sea areas falling within the 'nine-dash line'.''.

(8) Also according to the award, the Tribunal ''held that the Spratly Islands cannot generate maritime zones collectively as a unit. Having found that none of the features claimed by China was capable of generating an exclusive economic zone, the Tribunal found that it could—without delimiting a boundary—declare that certain sea areas are within the exclusive economic zone of the Philippines, because those areas are not overlapped by any possible entitlement of China.''.

(9) Also according to the award, the Tribunal ''found that China had violated the Philippines' sovereign rights in its exclusive economic zone by (a) interfering with Philippine fishing and petroleum exploration, (b) constructing artificial islands and (c) failing to prevent Chinese fishermen from fishing in the zone. The Tribunal also held that fishermen from the Philippines (like those from China) had traditional fishing rights at Scarborough Shoal and that China had interfered with these rights in restricting access. The Tribunal further held that Chinese law enforcement vessels had unlawfully created a serious risk of collision when they physically obstructed Philippine vessels.''.

(10) On July 12, 2016, the Ministry of Foreign Affairs of the People's Republic of China issued a statement that China ''declares that the [Tribunal] award is null and void and has no binding force. China neither accepts nor recognizes it. . . . China's territorial sovereignty and maritime rights and interests in the South China Sea shall under no circumstances be affected by those awards. China opposes and will never accept any claim or action based on those awards.''.

(11) On July 12, 2016, the Government of the People's Republic of China issued the fifth statement in the name of that Government since 1979 that—

(A) stated that the People's Republic of China has sovereignty over the 4 rocks and shoals in the South China Sea;

(B) claims internal waters, territorial seas, contiguous zones, one or more exclusive economic zones, and a continental shelf based on that sovereignty claim; and

(C) continues to claim historic rights in the South China Sea.

(12) On July 12, 2016, Assistant Secretary of State and Department of State Spokesperson John Kirby noted that the ''United States strongly supports the rule of law. We support efforts to resolve territorial and maritime disputes in the South China Sea peacefully, including through arbitration. . . . we urge all claimants to avoid provocative statements or actions. This decision can and should serve as a new opportunity to renew efforts to address maritime disputes peacefully.''.

(13) On July 13, 2016, the Vice Foreign Minister of the People's Republic of China, Liu Zhenmin, said that declaring an air defense identification zone in the South China Sea would depend on the threat China faces and stated that ''[i]f our security is threatened, we of course have the right to set it up''.

(14) On July 18, 2016, the People's Liberation Army Air Force of the People's Republic of China stated that it had conducted a ''combat air patrol'' over the South China Sea and that it would become ''regular practice'' in the future. A spokesperson stated that the People's Liberation Army Air Force ''will firmly defend national sovereignty, security and maritime interests, safeguard regional peace and stability, and cope with various threats and challenges''.

(15) On August 2, 2016, the Supreme People's Court of the People's Republic of China issued a judicial interpretation that people caught illegally fishing in Chinese waters could be jailed for up to one year.

(16) In the Agreement concerning the Ryukyu Islands and the Daito Islands with Related Arrangements, signed at Washington and Tokyo June 17, 1971 (23 UST 446), between the United States and Japan (commonly referred to as the ''Okinawa Reversion Treaty''), the United States agreed to apply the Treaty of Mutual Cooperation and Security, with Agreed Minute and Exchanges of Notes (11 UST 1632), signed at Washington January 19, 1961, between the United States and Japan, to the area covered by the Okinawa Reversion Treaty, including the Senkaku Islands.

(17) In April 2014, President Barack Obama stated, ''The policy of the United States is clear—the Senkaku Islands are administered by Japan and therefore fall within the scope of Article 5 of the U.S.-Japan Treaty of Mutual Cooperation and Security. And we oppose any unilateral attempts to undermine Japan's administration of these islands.''.

(18) In February 2017, President Donald Trump and Japanese Prime Minister Shinzo Abe issued a joint statement that ''affirmed that Article V of the U.S.-Japan Treaty of Mutual Cooperation and Security covers the Senkaku Islands''.

SEC. ___03. DEFINITIONS.

In this subtitle:

(1) ACCOUNT; CORRESPONDENT ACCOUNT; PAYABLE-THROUGH ACCOUNT.—The terms ''account'', ''correspondent account'', and ''payable-through account'' have the meanings given those terms in section 5318A of title 31, United States Code.

(2) ALIEN.—The term ''alien'' has the meaning given that term in section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)).

(3) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

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

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

(4) CHINESE PERSON.—The term ''Chinese person'' means—

(A) an individual who is a citizen or national of the People's Republic of China; or

(B) an entity organized under the laws of the People's Republic of China or otherwise subject to the jurisdiction of the Government of the People's Republic of China.

(5) FINANCIAL INSTITUTION.—The term ''financial institution'' means a financial institution specified in subparagraph (A), (B), (C), (D), (E), (F), (G), (H), (I), (J), (K), (M), (N), (P), (R), (T), (Y), or (Z) of section 5312(a)(2) of title 31, United States Code.

(6) FOREIGN FINANCIAL INSTITUTION.—The term ''foreign financial institution'' has the meaning given that term in section 1010.605 of title 31, Code of Federal Regulations (or any corresponding similar regulation or ruling).

(7) KNOWINGLY.—The term ''knowingly'', with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result.

(8) PERSON.—The term ''person'' means any individual or entity.

(9) UNITED STATES PERSON.—The term ''United States person'' means—

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

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

SEC. ___04. POLICY OF THE UNITED STATES WITH RESPECT TO THE SOUTH CHINA SEA AND THE EAST CHINA SEA.

It is the policy of the United States—

(1) to support the principle that disputes between countries should be resolved peacefully consistent with international law;

(2) to reaffirm its unwavering commitment and support for allies and partners in the Asia-Pacific region, including longstanding United States policy—

(A) regarding Article V of the Mutual Defense Treaty, signed at Washington August 30, 1951 (3 UST 3947), between the United States and the Philippines; and

(B) that Article V of the Mutual Defense Assistance Agreement, with Annexes, signed at Tokyo March 8, 1954 (5 UST 661), between the United States and Japan, applies to the Senkaku Islands, which are administered by Japan; and

(3) to support the principle of freedom of navigation and overflight and to continue to use the sea and airspace wherever international law allows.

SEC. ___05. SENSE OF CONGRESS WITH RESPECT TO THE SOUTH CHINA SEA AND THE EAST CHINA SEA.

It is the sense of Congress that—

(1) the United States—

(A) opposes all claims in the maritime domains that impinges on the rights, freedoms, and lawful use of the seas that belong to all countries;

(B) opposes unilateral actions by the government of any country seeking to change the status quo in the South China Sea through the use of coercion, intimidation, or military force;

(C) opposes actions by the government of any country to interfere in any way in the free use of waters and airspace in the South China Sea or East China Sea;

(D) opposes actions by the government of any country to prevent any other country from exercising its sovereign rights to the resources of the exclusive economic zone and continental shelf by making claims that have no support in international law; and

(E) upholds the principle that territorial and maritime claims, including with respect to territorial waters or territorial seas, must be derived from land features and otherwise comport with international law;

(2) the People's Republic of China should not continue to pursue illegitimate claims and to militarize an area that is essential to global security;

(3) the United States should—

(A) continue and expand freedom of navigation operations and overflights;

(B) reconsider the traditional policy of not taking a position on individual claims; and

(C) respond to provocations by the People's Republic of China with commensurate actions that impose costs on any attempts to undermine security in the region;

(4) the Senkaku Islands are covered by Article V of the Mutual Defense Assistance Agreement, with Annexes, signed at Tokyo March 8, 1954 (5 UST 661), between the United States and Japan; and

(5) the United States should firmly oppose any unilateral actions by the People's Republic of China that seek to undermine Japan's control of the Senkaku Islands.

SEC. ___06. SANCTIONS WITH RESPECT TO CHINESE PERSONS RESPONSIBLE FOR CHINA'S ACTIVITIES IN THE SOUTH CHINA SEA AND THE EAST CHINA SEA.

(a) INITIAL IMPOSITION OF SANCTIONS.—On and after the date that is 60 days after the date of the enactment of this Act, the President shall impose the sanctions described in subsection (b) with respect to—

(1) any Chinese person that contributes to construction or development projects, including land reclamation, island-making, lighthouse construction, building of base stations for mobile communications services, building of electricity and fuel supply facilities, or civil infrastructure projects, in areas of the South China Sea contested by one or more members of the Association of Southeast Asian Nations;

(2) any Chinese person that is responsible for or complicit in, or has engaged in, directly or indirectly, actions or policies that threaten the peace, security, or stability of areas of the South China Sea contested by one or more members of the Association of Southeast Asian Nations or areas of the East China Sea administered by Japan or the Republic of Korea, including through the use of vessels and aircraft to impose the sovereignty of the People's Republic of China in those areas;

(3) any Chinese person that engages, or attempts to engage, in an activity or transaction that materially contributes to, or poses a risk of materially contributing to, an activity described in paragraph (1) or (2); and

(4) any person that—

(A) is owned or controlled by a person described in paragraph (1), (2), or (3);

(B) is acting for or on behalf of such a person; or

(C) provides, or attempts to provide—

(i) financial, material, technological, or other support to a person described in paragraph (1), (2), or (3); or

(ii) goods or services in support of an activity described in paragraph (1), (2), or (3).

(b) SANCTIONS DESCRIBED.—

(1) BLOCKING OF PROPERTY.—The President shall block, in accordance with the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), all transactions in all

property and interests in property of any person subject to subsection (a) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(2) EXCLUSION FROM UNITED STATES.—The Secretary of State shall deny a visa to, and the Secretary of Homeland Security shall exclude from the United States, any person subject to subsection (a) that is an alien.

(3) CURRENT VISA REVOKED.—The issuing consular officer, the Secretary of State, or the Secretary of Homeland Security (or a designee of one of such Secretaries) shall revoke any visa or other entry documentation issued to any person subject to subsection (a) that is an alien, regardless of when issued. The revocation shall take effect immediately and shall automatically cancel any other valid visa or entry documentation that is in the alien's possession.

(c) EXCEPTIONS; PENALTIES.—

(1) INAPPLICABILITY OF NATIONAL EMERGENCY REQUIREMENT.—The requirements of section 202 of the International Emergency Economic Powers Act (50 U.S.C. 1701) shall not apply for purposes of subsection (b)(1).

(2) COMPLIANCE WITH UNITED NATIONS HEADQUARTERS AGREEMENT.—Paragraphs (2) and (3) of subsection (b) shall not apply if admission to the United States is necessary to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States.

(3) PENALTIES.—The penalties provided for in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) shall apply to a person that violates, attempts to violate, conspires to violate, or causes a violation of regulations prescribed under subsection (b)(1) to the same extent that such penalties apply to a person that commits an unlawful act described in subsection (a) of such section 206.

(d) ADDITIONAL IMPOSITION OF SANCTIONS.—

(1) IN GENERAL.—The President shall prohibit the opening, and prohibit or impose strict conditions on the maintaining, in the United States of a correspondent account or a payable-through account by a foreign financial institution that the President determines knowingly, on or after the date that is 60 days after the date of the enactment of this Act, conducts or facilitates a significant financial transaction for a person subject to subsection (a) if the Director of National Intelligence determines that the Government of the People's Republic of China has—

(A) declared an air defense identification zone over any part of the South China Sea;

(B) initiated reclamation work at another disputed location in the South China Sea, such as at Scarborough Shoal;

(C) seized control of Second Thomas Shoal;

(D) deployed surface-to-air missiles to any of the artificial islands the People's Republic of China has built in the Spratly Island chain, including Fiery Cross, Mischief, or Subi Reefs;

(E) established territorial baselines around the Spratly Island chain;

(F) increased harassment of Philippine vessels; or

(G) increased provocative actions against the Japanese Coast Guard or Maritime Self-Defense Force or United States forces in the East China Sea.

(2) REPORT.—

(A) IN GENERAL.—The determination of the Director of National Intelligence referred to in paragraph (1) shall be submitted in a report to the President and the appropriate congressional committees.

(B) FORM OF REPORT.—The report required by subparagraph (A) shall be submitted in unclassified form, but may include a classified annex.

SEC. ___07. DETERMINATIONS AND REPORT ON CHINESE COMPANIES ACTIVE IN THE SOUTH CHINA SEA AND THE EAST CHINA SEA.

(a) IN GENERAL.—The Secretary of State shall submit to the appropriate congressional committees a report that identifies each Chinese person the Secretary determines is engaged in the activities described in section ___06(a).

(b) CONSIDERATION.—In preparing the report required under subsection (a), the Secretary of State shall make specific findings with respect to whether each of the following persons is involved in the activities described in section ___06(a):

(1) CCCC Tianjin Dredging Co., Ltd.

(2) CCCC Dredging (Group) Company, Ltd.

(3) China Communications Construction Company (CCCC), Ltd.

(4) China Petroleum Corporation (Sinopec Group).

(5) China Mobile.

(6) China Telecom.

(7) China Southern Power Grid.

(8) CNFC Guangzhou Harbor Engineering Company.

(9) Zhanjiang South Project Construction Bureau.

(10) Hubei Jiangtian Construction Group.

(11) China Harbour Engineering Company (CHEC).

(12) Guangdong Navigation Group (GNG) Ocean Shipping.

(13) Shanghai Leading Energy Shipping.

(14) China National Offshore Oil Corporation (CNOOC).

(15) China Oilfield Services Limited (COSL).

(16) China Precision Machinery Import/Export Corporation (CPMIEC).

(17) China Aerospace Science and Industry Corporation (CASIC).

(18) Aviation Industry Corporation of China (AVIC).

(19) Shenyang Aircraft Corporation.

(20) Shaanxi Aircraft Corporation.

(21) China Ocean Shipping (Group) Company (COSCO).

(22) China Southern Airlines.

(23) Zhan Chaoying.

(24) Sany Group.

(25) Chinese persons affiliated with any of the entities specified in paragraphs (1) through (24).

(c) SUBMISSION AND FORM.—

(1) SUBMISSION.—The report required by subsection (a) shall be submitted not later than 60 days after the date of the enactment of this Act and every 180 days thereafter until the date that is 3 years after the date of the enactment of this Act.

(2) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex if the Secretary of State determines it is necessary for the national security interests of the United States to do so.

(3) PUBLIC AVAILABILITY.—The Secretary of State shall publish the unclassified part of the report required by subsection (a) on a publicly available website of the Department of State.

SEC. ___08. PROHIBITION AGAINST DOCUMENTS PORTRAYING THE SOUTH CHINA SEA OR THE EAST CHINA SEA AS PART OF CHINA.

The Government Publishing Office may not publish any map, document, record, electronic resource, or other paper of the United States (other than materials relating to hearings held by committees of Congress or internal work product of a Federal agency) portraying or otherwise indicating that it is the position of the United States that the territory or airspace in the South China Sea contested by one or more members of the Association of Southeast Asian Nations or the territory or airspace of areas of the East China Sea administered by Japan or the Republic of Korea is part of the territory or airspace of the People's Republic of China.

SEC. ___09. PROHIBITION ON FACILITATING CERTAIN INVESTMENTS IN THE SOUTH CHINA SEA OR THE EAST CHINA SEA.

(a) IN GENERAL.—No United States person may take any action to approve, facilitate, finance, or guarantee any investment, provide insurance, or underwriting in the South China Sea or the East China Sea that involves any person with respect to which sanctions are imposed under section ___06(a).

(b) ENFORCEMENT.—The Secretary of the Treasury, in consultation with the Secretary of State, is authorized to take such actions, including the promulgation of such rules and regulations, as may be necessary to carry out the purposes of this section.

(c) PENALTIES.—The penalties provided for in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) shall apply to a person that violates, attempts to violate, conspires to violate, or causes a violation of regulations prescribed under this section to the same extent that such penalties apply to a person that commits an unlawful act described in subsection (a) of such section 206.

(d) EXCEPTION.—Subsection (a) shall not apply with respect to humanitarian assistance, disaster assistance, or emergency food assistance.

SEC. ___10. DEPARTMENT OF JUSTICE AFFIRMATION OF NON-RECOGNITION OF ANNEXATION.

In any matter before any United States court, upon request of the court or any party to the matter, the Attorney General shall affirm the United States policy of not recognizing the de jure or de facto sovereignty of the People's Republic of China over territory or airspace contested by one or more members of the Association of Southeast Asian Nations in the South China Sea or the territory or airspace of areas of the East China Sea administered by Japan or the Republic of Korea.

SEC. ___11. NON-RECOGNITION OF CHINESE SOVEREIGNTY OVER THE SOUTH CHINA SEA OR THE EAST CHINA SEA.

(a) UNITED STATES ARMED FORCES.—The Secretary of Defense may not take any action, including any movement of aircraft or vessels that implies recognition of the sovereignty of the People's Republic of China over territory or airspace contested by one or more members of the Association of Southeast Asian Nations in the South China Sea or the territory or airspace of areas of the East China Sea administered by Japan or the Republic of Korea.

(b) UNITED STATES FLAGGED VESSELS.—No vessel that is issued a certificate of documentation under chapter 121 of title 46, United States Code, may take any action that implies recognition of the sovereignty of the People's Republic of China over territory or airspace contested by one or more members of the Association of Southeast Asian Nations in the South China Sea or the territory or airspace of areas of the East China Sea administered by Japan or the Republic of Korea.

(c) UNITED STATES AIRCRAFT.—No aircraft operated by an air carrier that holds an air carrier certificate issued under chapter 411 of title 49, United States Code, may take any action that implies recognition of the sovereignty of the People's Republic of China over territory or airspace contested by one or more members of the Association of

Southeast Asian Nations in the South China Sea or the territory or airspace of areas of the East China Sea administered by Japan or the Republic of Korea.

SEC. ___12. PROHIBITION ON CERTAIN ASSISTANCE TO COUNTRIES THAT RECOGNIZE CHINESE SOVEREIGNTY OVER THE SOUTH CHINA SEA OR THE EAST CHINA SEA.

(a) PROHIBITION.—Except as provided by subsection (c) or (d), no amounts may be obligated or expended to provide foreign assistance to the government of any country identified in a report required by subsection (b).

(b) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, and every 180 days thereafter until the date that is 3 years after such date of enactment, the Secretary of State shall submit to the appropriate congressional committees a report identifying each country that the Secretary determines recognizes, after the date of the enactment of this Act, the sovereignty of the People's Republic of China over territory or airspace contested by one or more members of the Association of Southeast Asian Nations in the South China Sea or the territory or airspace of areas of the East China Sea administered by Japan or the Republic of Korea.

(2) FORM.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex if the Secretary of State determines it is necessary for the national security interests of the United States to do so.

(3) PUBLIC AVAILABILITY.—The Secretary of State shall publish the unclassified part of the report required by paragraph (1) on a publicly available website of the Department of State.

(c) EXCEPTION.—This section shall not apply with respect to Taiwan, humanitarian assistance, disaster assistance, emergency food assistance, or the Peace Corps.

(d) WAIVER.—The President may waive the application of subsection (a) with respect to the government of a country if the President determines that the waiver is in the national interests of the United States.

SA 927. Mr. MCCAIN (for Mr. RUBIO) submitted an amendment intended to be proposed by Mr. MCCAIN to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ___. REPORT ON AVAILABILITY OF POSTSECONDARY CREDIT FOR SKILLS ACQUIRED DURING MILITARY SERVICE.

Not later than 60 days after the date of enactment of this Act, the Secretary of Defense, in consultation with the Secretaries of Veterans Affairs, Education, and Labor, shall submit to Congress a report on the transfer of skills into equivalent postsecondary credits or technical certifications for members of the armed forces leaving the military. Such report shall describe each the following:

(1) Each skill that may be acquired during military service that is eligible for transfer into an equivalent postsecondary credit or technical certification.

(2) The academic level of the equivalent postsecondary credit or technical certification for each such skill.

(3) Each academic institution that awards an equivalent postsecondary credit or technical certification for such skills, including—

(A) each such academic institution's status as a public or private institution, and as a non-profit or for-profit institution; and

(B) the number of veterans that applied to such academic institution who were able to receive equivalent postsecondary credits or technical certifications in the preceding fiscal year, and the academic level of the credits or certifications.

(4) The number of members of the armed forces who left the military in the preceding fiscal year, and the number of such members who met with an academic or technical training advisor as part of the member's participation in the Transition Assistance Program of the Department of Defense.

SA 928. Mr. MCCAIN (for Mr. RUBIO) submitted an amendment intended to be proposed by Mr. MCCAIN to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 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 appropriate place, insert the following:

SEC. ___. REPORT ON IRANIAN ACTIVITIES IN IRAQ AND SYRIA.

(a) REPORT.—Not later than 60 days after the date of the enactment of this Act, and every 180 days thereafter for a period not to exceed 5 years, the President shall submit to the appropriate congressional committees a report on Iranian activities in Iraq and Syria.

(b) MATTERS TO BE INCLUDED.—The report required by subsection (a) shall include—

(1) a description of Iran's support for—

(A) Iraqi militias or political parties, including weapons, financing, and other forms of material support; and

(B) the regime of Bashar al-Assad in Syria; and

(2) a list of referrals to the relevant United Nations Security Council sanctions committees by the United States Permanent Representative to the United Nations.

(c) FORM.—The President may submit the report required by subsection (a) in classified form if the President determines that it is necessary for the national security interests of the United States to do so.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Foreign Affairs, the Permanent Select Committee on Intelligence, the Committee on Armed Services, the Committee on Ways and Means, and the Committee on Financial Services of the House of Representatives; and

(2) the Committee on Foreign Relations, the Select Committee on Intelligence, the Committee on Armed Services, the Committee on Finance, and the Committee on Banking, Housing, and Urban Affairs of the Senate.

SA 929. Mr. MCCAIN (for Mr. RUBIO) submitted an amendment intended to be proposed by Mr. MCCAIN to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 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 appropriate place, insert the following:

SEC. ___. IMPOSITION OF SANCTIONS WITH RESPECT TO CERTAIN FOREIGN PERSONS THREATENING PEACE OR STABILITY IN IRAQ AND SYRIA.

(a) SANCTIONS REQUIRED.—The President shall impose the sanctions described in subsection (b)(1) with respect to any foreign person that—

(1) is responsible for or complicit in, or to have engaged in, directly or indirectly—

(A) actions that threaten the peace, security, or stability of Iraq or Syria;

(B) actions or policies that undermine efforts to promote economic reconstruction and political reform in Iraq; or

(C) the obstruction of the delivery or distribution of, or access to, humanitarian assistance to the people of Iraq or Syria;

(2) has materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, any activity described in subparagraph (A), (B), or (C) of paragraph (1); or

(3) is owned or controlled by, or has acted or purported to act for or on behalf of, directly or indirectly, a foreign person that has carried out any activity described in subparagraph (A), (B), or (C) of paragraph (1) or paragraph (2).

(b) SANCTIONS DESCRIBED.—

(1) IN GENERAL.—The sanctions described in this subsection are the following:

(A) ASSET BLOCKING.—The President shall block, in accordance with the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), all transactions in all property and interests in property of a person subject to subsection (a) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(B) ALIENS INELIGIBLE FOR VISAS, ADMISSION, OR PAROLE.—

(i) EXCLUSION FROM THE UNITED STATES.—The Secretary of State shall deny a visa to, and the Secretary of Homeland Security shall exclude from the United States, any person subject to subsection (a) that is an alien.

(ii) CURRENT VISAS REVOKED.—

(I) IN GENERAL.—The issuing consular officer, the Secretary of State, or the Secretary of Homeland Security (or a designee of one of such Secretaries) shall revoke any visa or other entry documentation issued to an alien subject to subsection (a), regardless of when issued.

(II) EFFECT OF REVOCATION.—A revocation under subclause (I) shall take effect immediately and shall automatically cancel any other valid visa or entry documentation that is in the alien's possession.

(2) INAPPLICABILITY OF NATIONAL EMERGENCY REQUIREMENT.—The requirements of section 202 of the International Emergency Economic Powers Act (50 U.S.C. 1701) shall not apply for purposes of the imposition of sanctions under this section.

(3) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of paragraph (1)(A) or any regulation, license, or order issued to carry out that paragraph shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(4) EXCEPTION TO COMPLY WITH UNITED NATIONS HEADQUARTERS AGREEMENT.—Sanctions under paragraph (1)(B) shall not apply to an alien if admitting the alien into the United States is necessary to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations.

(c) WAIVER.—

(1) IN GENERAL.—The President may, on a case-by-case basis and for periods not to exceed 180 days, waive the application of sanctions under this section with respect to a foreign person, and may renew the waiver for additional periods of not more than 180 days, if the President determines and reports to the appropriate congressional committees at least 15 days before the waiver or renewal of the waiver is to take effect that the waiver is vital to the national security interests of the United States.

(2) FORM OF REPORT.—A report submitted under paragraph (1) shall be submitted in unclassified form but may include a classified annex.

(3) SUNSET.—The provisions of this subsection and any waivers issued pursuant to this subsection shall terminate on the date that is 3 years after the date of the enactment of this Act.

(d) IMPLEMENTATION AUTHORITY.—The President may exercise all authorities provided to the President under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) for purposes of carrying out this section.

(e) REGULATORY AUTHORITY.—

(1) IN GENERAL.—The President shall, not later than 90 days after the date of the enactment of this Act, promulgate regulations as necessary for the implementation of this section.

(2) NOTIFICATION TO CONGRESS.—Not less than 10 days before the promulgation of regulations under paragraph (1), the President shall notify and provide to the appropriate congressional committees the proposed regulations and the provisions of this Act and the amendments made by this Act that the regulations are implementing.

(f) DEFINITIONS.—In this section:

(1) ADMITTED; ALIEN.—The terms ''admitted'' and ''alien'' have the meanings given those terms in section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)).

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Affairs, the Committee on the Judiciary, the Committee on Ways and Means, and the Committee on Financial Services of the House of Representatives; and

(B) the Committee on Foreign Relations, the Committee on the Judiciary, the Committee on Finance, and the Committee on Banking, Housing, and Urban Affairs of the Senate.

(3) FOREIGN PERSON.—The term ''foreign person'' means—

(A) an individual who is not a United States person;

(B) a corporation, partnership, or other nongovernmental entity that is not a United States person; or

(C) any representative, agent or instrumentality of, or an individual working on behalf of a foreign government.

(4) GOVERNMENT OF IRAQ.—The term ''Government of Iraq'' has the meaning given that term in section 576.310 of title 31, Code of Federal Regulations (or any corresponding similar regulation or ruling).

(5) GOVERNMENT OF SYRIA.—The term ''Government of Syria'' has the meaning given that term in section 542.305 of title 31, Code of Federal Regulations (or any corresponding similar regulation or ruling).

(6) KNOWINGLY.—The term ''knowingly'', with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result.

(7) PERSON.—The term ''person'' means an individual or entity.

(8) PROPERTY; PROPERTY INTEREST.—The terms ''property'' and ''property interest'' have the meanings given those terms in section 576.312 of title 31, Code of Federal Regulations (or any corresponding similar regulation or ruling).

(9) UNITED STATES PERSON.—The term ''United States person'' has the meaning given that term in section 576.319 of title 31, Code of Federal Regulations (or any corresponding similar regulation or ruling).

(g) SUNSET.—This section shall cease to be effective beginning on January 1, 2022.

SA 930. Mr. MCCAIN (for Mr. RUBIO) submitted an amendment intended to be proposed by Mr. MCCAIN to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 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 appropriate place, insert the following:

Subtitle ____—Combating BDS Act of 2017

SEC. ____01. SHORT TITLE.

This subtitle may be cited as the ''Combating BDS Act of 2017''.

SEC. ____02. NONPREEMPTION OF MEASURES BY STATE AND LOCAL GOVERNMENTS TO DIVEST FROM ENTITIES THAT ENGAGE IN CERTAIN BOYCOTT, DIVESTMENT, OR SANCTIONS ACTIVITIES TARGETING ISRAEL.

(a) STATE AND LOCAL MEASURES.—Notwithstanding any other provision of law, a State or local government may adopt and enforce measures that meet the requirements of subsection (b) to divest the assets of the State or local government from, prohibit investment of the assets of the State or local government in, or restrict contracting by the State or local government for goods and services with—

(1) an entity that the State or local government determines, using credible information available to the public, knowingly engages in a commerce-related or investment-related boycott, divestment, or sanctions activity targeting Israel;

(2) a successor entity or subunit of an entity described in paragraph (1); or

(3) an entity that owns or controls, is owned or controlled by, or is under common ownership or control with, an entity described in paragraph (1).

(b) REQUIREMENTS.—A State or local government that seeks to adopt or enforce a measure under subsection (a) shall meet the following requirements:

(1) NOTICE.—The State or local government shall provide written notice to each entity to which a measure under subsection (a) is to be applied.

(2) TIMING.—The measure shall apply to an entity not earlier than the date that is 90 days after the date on which written notice is provided to the entity under paragraph (1).

(3) OPPORTUNITY FOR COMMENT.—The State or local government shall provide an opportunity to comment in writing to each entity to which a measure is to be applied. If the entity demonstrates to the State or local government that the entity has not engaged in a commerce-related or investment-related boycott, divestment, or sanctions activity targeting Israel, the measure shall not apply to the entity.

(4) SENSE OF CONGRESS ON AVOIDING ERRONEOUS TARGETING.—It is the sense of Congress that a State or local government should not adopt a measure under subsection (a) with respect to an entity unless the State or local government has made every effort to avoid erroneously targeting the entity and has verified that the entity engages in a commerce-related or investment-related boycott, divestment, or sanctions activity targeting Israel.

(c) NOTICE TO DEPARTMENT OF JUSTICE.—

(1) IN GENERAL.—Except as provided in paragraph (2), not later than 30 days after adopting a measure described in subsection (a), the State or local government that adopted the measure shall submit written notice to the Attorney General describing the measure.

(2) EXISTING MEASURES.—With respect to measures described in subsection (a) adopted before the date of the enactment of this Act, the State or local government that adopted the measure shall submit written notice to the Attorney General describing the measure not later than 30 days after the date of the enactment of this Act.

(d) NONPREEMPTION.—A measure of a State or local government that is consistent with subsection (a) is not preempted by any Federal law.

(e) EFFECTIVE DATE.—This section applies to any measure adopted by a State or local government before, on, or after the date of the enactment of this Act.

(f) PRIOR ENACTED MEASURES.—

(1) IN GENERAL.—Notwithstanding any other provision of this section or any other provision of law, and except as provided in paragraph (2), a State or local government may enforce a measure described in subsection (a) adopted by the State or local government before the date of the enactment of this Act without regard to the requirements of subsection (b).

(2) APPLICATION OF NOTICE AND OPPORTUNITY FOR COMMENT.—A measure described in paragraph (1) shall be subject to the requirements of subsection (b) on and after the date that is 2 years after the date of the enactment of this Act.

(g) RULES OF CONSTRUCTION.—

(1) AUTHORITY OF STATES.—Nothing in this section shall be construed to abridge the authority of a State to issue and enforce rules governing the safety, soundness, and solvency of a financial institution subject to its jurisdiction or the business of insurance pursuant to the Act of March 9, 1945 (59 Stat. 33, chapter 20; 15 U.S.C. 1011 et seq.) (commonly known as the ''McCarran-Ferguson Act'').

(2) POLICY OF THE UNITED STATES.—Nothing in this section shall be construed to alter the established policy of the United States concerning final status issues associated with the Arab-Israeli conflict, including border delineation, that can only be resolved through direct negotiations between the parties.

(3) SCOPE OF NONPREEMPTION.—Nothing in this section shall be construed as establishing a basis for preempting or implying preemption of State measures relating to boycott, divestment, or sanctions activity targeting Israel that are outside the scope of subsection (a).

(h) DEFINITIONS.—In this section:

(1) ASSETS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the term ''assets'' means

any pension, retirement, annuity, or endowment fund, or similar instrument, that is controlled by a State or local government.

(B) EXCEPTION.—The term ''assets'' does not include employee benefit plans covered by title I of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1001 et seq.).

(2) BOYCOTT, DIVESTMENT, OR SANCTIONS ACTIVITY TARGETING ISRAEL.—The term ''boycott, divestment, or sanctions activity targeting Israel'' means any activity that is intended to penalize, inflict economic harm on, or otherwise limit commercial relations with Israel or persons doing business in Israel or in Israeli-controlled territories for purposes of coercing political action by, or imposing policy positions on, the Government of Israel.

(3) ENTITY.—The term ''entity'' includes—

(A) any corporation, company, business association, partnership, or trust; and

(B) any governmental entity or instrumentality of a government, including a multilateral development institution (as defined in section 1701(c)(3) of the International Financial Institutions Act (22 U.S.C. 262r(c)(3))).

(4) INVESTMENT.—The term ''investment'' includes—

(A) a commitment or contribution of funds or property;

(B) a loan or other extension of credit; and

(C) the entry into or renewal of a contract for goods or services.

(5) STATE.—The term ''State'' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, the United States Virgin Islands, and any other territory or possession of the United States.

(6) STATE OR LOCAL GOVERNMENT.—The term ''State or local government'' includes—

(A) any State and any agency or instrumentality thereof;

(B) any local government within a State and any agency or instrumentality thereof; and

(C) any other governmental instrumentality of a State or locality.

SEC. ___03. SAFE HARBOR FOR CHANGES OF INVESTMENT POLICIES BY ASSET MANAGERS.

Section 13(c)(1) of the Investment Company Act of 1940 (15 U.S.C. 80a–13(c)(1)) is amended—

(1) in subparagraph (A), by striking ''; or'' and inserting a semicolon;

(2) in subparagraph (B), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(C) engage in any boycott, divestment, or sanctions activity targeting Israel described in section ___02 of the Combating BDS Act of 2017.''.

SA 931. Mrs. ERNST submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 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 XII, add the following:

SEC. ____. SENSE OF CONGRESS ON THE ISLAMIC STATE OF IRAQ AND THE LEVANT.

It is the sense of the Congress that—

(1) the Islamic State of Iraq and the Levant (ISIS) poses an acute threat to the people, government, and territorial integrity of Iraq, including the Iraqi Sunni, Shia, and Kurdish communities and religious and ethnic minorities in Iraq, and to the security and stability of the Middle East and beyond;

(2) the defeat of the Islamic State of Iraq and the Levant is critical to maintaining a unified Iraq in which all faiths, sects, and ethnicities are afforded equal protection and full integration into the Government and society of Iraq; and

(3) the United States should, in coordination with coalition partners, continue necessary support to the security forces of or associated with the Government of Iraq that have a national security mission in their fight against the Islamic State of Iraq and the Levant.

SA 932. Ms. KLOBUCHAR (for herself and Mr. TILLIS) submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1088. ESTABLISHMENT OF CENTER OF EXCELLENCE IN PREVENTION, DIAGNOSIS, MITIGATION, TREATMENT, AND REHABILITATION OF HEALTH CONDITIONS RELATING TO EXPOSURE TO BURN PITS AND OTHER ENVIRONMENTAL EXPOSURES.

(a) IN GENERAL.—Subchapter II of chapter 73 of title 38, United States Code, is amended by adding at the end the following new section:

''§ 7330C. Center of excellence in prevention, diagnosis, mitigation, treatment, and rehabilitation of health conditions relating to exposure to burn pits and other environmental exposures

''(a) ESTABLISHMENT.—(1) The Secretary shall establish within the Department a center of excellence in the prevention, diagnosis, mitigation, treatment, and rehabilitation of health conditions relating to exposure to burn pits and other environmental exposures to carry out the responsibilities specified in subsection (d).

''(2) The Secretary shall establish the center of excellence under paragraph (1) through the use of—

''(A) the directives and policies of the Department in effect as of the date of the enactment of the National Defense Authorization Act for Fiscal Year 2018;

''(B) the recommendations of the Comptroller General of the United States and Inspector General of the Department in effect as of such date; and

''(C) guidance issued by the Secretary of Defense under section 313 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 10 U.S.C. 1074 note).

''(b) SELECTION OF SITE.—In selecting the site for the center of excellence established under subsection (a), the Secretary shall consider entities that—

''(1) are equipped with the specialized equipment needed to study, diagnose, and treat health conditions relating to exposure to burn pits and other environmental exposures;

''(2) have a track record of publishing information relating to post-deployment health exposures among veterans who served in the Armed Forces in support of Operation Iraqi Freedom and Operation Enduring Freedom;

''(3) have access to animal models and in vitro models of dust immunology and lung injury consistent with the injuries of members of the Armed Forces who served in support of Operation Iraqi Freedom and Operation Enduring Freedom; and

''(4) have expertise in allergy, immunology, and pulmonary diseases.

''(c) COLLABORATION.—The Secretary shall ensure that the center of excellence collaborates, to the maximum extent practicable, with the Secretary of Defense, institutions of higher education, and other appropriate public and private entities (including international entities) to carry out the responsibilities specified in subsection (d).

''(d) RESPONSIBILITIES.—The center of excellence shall have the following responsibilities:

''(1) To provide for the development, testing, and dissemination within the Department of best practices for the treatment of health conditions relating to exposure to burn pits and other environmental exposures.

''(2) To provide guidance for the health systems of the Department and the Department of Defense in determining the personnel required to provide quality health care for members of the Armed Forces and veterans with health conditions relating to exposure to burn pits and other environmental exposures.

''(3) To establish, implement, and oversee a comprehensive program to train health professionals of the Department and the Department of Defense in the treatment of health conditions relating to exposure to burn pits and other environmental exposures.

''(4) To facilitate advancements in the study of the short-term and long-term effects of exposure to burn pits and other environmental exposures.

''(5) To disseminate within medical facilities of the Department best practices for training health professionals with respect to health conditions relating to exposure to burn pits and other environmental exposures.

''(6) To conduct basic science and translational research on health conditions relating to exposure to burn pits and other environmental exposures for the purposes of understanding the etiology of such conditions and developing preventive interventions and new treatments.

''(7) To provide medical treatment to veterans diagnosed with medical conditions specific to exposure to burn pits and other environmental exposures.

''(e) USE OF BURN PITS REGISTRY DATA.—In carrying out its responsibilities under subsection (d), the center of excellence shall have access to and make use of the data accumulated by the burn pits registry established under section 201 of the Dignified Burial and Other Veterans' Benefits Improvement Act of 2012 (Public Law 112–260; 38 U.S.C. 527 note).

''(f) DEFINITIONS.—In this section:

''(1) The term 'burn pit' means an area of land located in Afghanistan or Iraq that—

''(A) is designated by the Secretary of Defense to be used for disposing solid waste by burning in the outdoor air; and

''(B) does not contain a commercially manufactured incinerator or other equipment specifically designed and manufactured for the burning of solid waste.

''(2) The term 'other environmental exposures' means exposure to environmental hazards, including burn pits, dust or sand, hazardous materials, and waste at any site in Afghanistan or Iraq that emits smoke containing pollutants present in the environment or smoke from fires or explosions.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 73 of

such title is amended by inserting after the item relating to section 7330B the following new item:

"7330C. Center of excellence in prevention, diagnosis, mitigation, treatment, and rehabilitation of health conditions relating to exposure to burn pits and other environmental exposures.".

SA 933. Mr. McCAIN (for himself and Mr. REED) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 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 2702 and insert the following:

Subtitle B—Defense Force and Infrastructure Review and Recommendations

SEC. 2711. SHORT TITLE; PURPOSE.

(a) SHORT TITLE.—This subtitle may be cited as the "Defense Force and Infrastructure Review Act of 2017".

(b) PURPOSE.—The purpose of this subtitle is to provide a fair and transparent process that will result in the credible analysis of infrastructure requirements and recommendations for military infrastructure.

SEC. 2712. PROCEDURE FOR MAKING RECOMMENDATIONS FOR INFRASTRUCTURE CLOSURES AND REALIGNMENTS.

(a) FORCE-STRUCTURE PLAN AND INFRASTRUCTURE INVENTORY.—(1) As part of the budget justification documents submitted to Congress in support of the budget for the Department of Defense for fiscal year 2019, the Secretary shall submit to Congress the following:

(A)(i) Subject to clause (ii), a force-structure plan for the Armed Forces based on the most recent National Military Strategy, an assessment by the Secretary of the probable threats to the national security during the 20-year period beginning with that fiscal year, the probable end-strength levels and major military force units (including land force divisions, carrier and other major combatant vessels, air wings, and other comparable units) needed to meet those threats, and the anticipated levels of funding that will be available for national defense purposes during such period.

(ii) The force structure described in the force-structure plan under clause (i) shall contain, at a minimum, a Navy of 355 ships, an Air Force of 1500 combat coded aircraft, an Army of 60 brigade combat teams, and a Marine Corps of three Marine expeditionary forces, together with all enabling and supporting elements.

(B) A comprehensive inventory of military installations world-wide for each military department, with specifications of the number and type of facilities in the active and reserve forces of each military department.

(2) Using the most recent National Military Strategy and the force-structure plan and infrastructure inventory prepared under paragraph (1), the Secretary shall prepare (and include as part of the submission of such plan and inventory) the following:

(A) A description of the infrastructure necessary to support the force structure described in the force-structure plan.

(B) A discussion of categories of excess infrastructure and infrastructure capacity within the United States and the target of the Secretary for the reduction of such excess capacity.

(C) An economic analysis of the effect of the closure or realignment of military installations to reduce excess infrastructure.

(3) In determining the level of necessary versus excess infrastructure under paragraph (2), the Secretary shall consider the following:

(A) The anticipated continuing need for and availability of military installations outside the United States, taking into account current restrictions on the use of military installations outside the United States and the potential for future prohibitions or restrictions on the use of such military installations.

(B) Any efficiencies that may be gained from joint tenancy by more than one branch of the Armed Forces at a military installation.

(4) The Secretary may revise the force-structure plan and infrastructure inventory prepared under paragraph (1). If the Secretary makes such a revision, the Secretary shall submit the revised plan or inventory to Congress not later than September 15, 2018. For purposes of selecting military installations for closure or realignment under this subtitle, no revision of the force-structure plan or infrastructure inventory is authorized after September 15, 2018.

(b) CERTIFICATION OF NEED FOR FURTHER CLOSURES AND REALIGNMENTS.—(1) On the basis of the force-structure plan and infrastructure inventory prepared under subsection (a) and the descriptions and economic analysis prepared under such subsection, the Secretary shall include as part of the submission of the plan and inventory—

(A) a certification regarding whether the need exists for the closure or realignment of additional military installations; and

(B) if such need exists, a certification that the additional round of closures and realignments would result in substantial annual net savings for the Department of Defense following the completion of such closures and realignments.

(2) If the Secretary does not include the certifications referred to in paragraph (1) as part of the submission of the force-structure plan and infrastructure inventory prepared under subsection (a), the President may not commence a round for the selection of military installations for closure and realignment under this subtitle in the year following submission of the force-structure plan and infrastructure inventory.

(c) COMPTROLLER GENERAL EVALUATION.—(1) If the certification is provided under subsection (b), the Comptroller General of the United States shall prepare an evaluation of the following:

(A) The force-structure plan and infrastructure inventory prepared under subsection (a) and the final selection criteria specified in subsection (d), including an evaluation of the accuracy and analytical sufficiency of such plan, inventory, and criteria.

(B) The need for the closure or realignment of additional military installations.

(2) The Comptroller General shall submit to Congress the evaluation prepared under paragraph (1) not later than 60 days after the date on which the force-structure plan and infrastructure inventory are submitted to Congress.

(d) FINAL SELECTION CRITERIA.—(1) The final criteria to be used by the Secretary in making recommendations for the closure or realignment of military installations in the United States under this subtitle shall be the military value criteria specified in paragraph (2) and other criteria specified in paragraph (3).

(2) The military value criteria specified in this paragraph are as follows:

(A) The current and future mission capabilities and the impact on operational readiness of the total force of the Department of Defense, including the impact on joint warfighting, training, and readiness.

(B) The availability and condition of land, facilities, and associated airspace (including training areas suitable for maneuver by ground, naval, or air forces throughout a diversity of climate and terrain areas and staging areas for the use of the Armed Forces in homeland defense missions) at both existing and potential receiving locations.

(C) The ability to accommodate contingency, mobilization, surge, and future total force requirements at both existing and potential receiving locations to support operations and training.

(D) The cost of operations and the manpower implications.

(E) The strategic impact of the location of an installation on operational plans, contingency plans, and missions of the combatant commands.

(3)(A) The other criteria that the Secretary shall use in making recommendations for the closure or realignment of military installations in the United States under this subtitle are as follows:

(i) The extent and timing of potential costs and savings, including the number of years, beginning with the date of completion of the closure or realignment, for the savings to exceed the costs.

(ii) The economic impact on existing communities in the vicinity of military installations.

(iii) The extent with which a closure or realignment contributes to the reduction of excess infrastructure and infrastructure capacity to meet the targeted reduction established by the Secretary as required by subsection (a)(2)(B).

(iv) The ability of the infrastructure of both the existing and potential receiving communities to support forces, missions, and personnel.

(v) The cost of mitigating the impact of any increases of such forces, missions, and personnel at receiving locations to maintain the level of service that exists prior to the closure or realignment.

(vi) The environmental impact, including the impact of costs related to potential environmental restoration, vulnerability adaptation, mitigation, waste management, and environmental compliance activities.

(B) When determining the costs associated with a closure or realignment under subparagraph (A)(i), the Secretary shall consider costs associated with military construction, information technology, environmental remediation, relocation of personnel, termination of public-private contracts, guarantees, and other factors contributing to the cost of a closure or realignment as determined by the Secretary.

(e) PRIORITY GIVEN TO MILITARY VALUE.—The Secretary shall give priority consideration to the military value criteria specified in subsection (d)(2) in the making of recommendations for the closure or realignment of military installations.

(f) EFFECT ON DEPARTMENT AND OTHER AGENCY COSTS.—Selection criteria relating to cost savings or return on investment from the proposed closure or realignment of military installations under this subtitle shall take into account the effect of the proposed closure or realignment on the costs of any other activity of the Department of Defense or any other Federal agency that may be required to assume responsibility for activities at the military installations.

(g) RELATION TO OTHER MATERIALS.—The final selection criteria specified in subsection (d) shall be the only criteria to be

used, along with the force-structure plan and infrastructure inventory referred to in subsection (a), in making recommendations for the closure or realignment of military installations in the United States under this subtitle.

(h) DEPARTMENT OF DEFENSE RECOMMENDATIONS.—(1)(A) If the Secretary makes the certifications required under subsection (b), the Secretary shall, by not later than May 15, 2019, publish in the Federal Register—

(i) with respect to each military installation in the United States, unclassified assessment data of the current condition of facilities and infrastructure and an environmental baseline of known contamination and remediation activities at each such installation that will be used by the Secretary to develop closure and realignment recommendations; and

(ii) standard rules to be used by the Secretary to calculate annual recurring savings for manpower, base operating costs, utility costs, base closure guarantees, service-sharing agreements, and other installation support activities that the Secretary will use in the determination of the savings derived from closure and realignment of military installations.

(B) The Secretary shall provide a public comment period of 60 days to allow for a review of the data published under subparagraph (A) and an opportunity for the Secretary to correct the assessments to ensure accurate and reliable information is used for final closure and realignment recommendations.

(C) If the Secretary does not publish the data or standard rules under subparagraph (A) by May 15, 2019, the President shall not commence a round for the selection of military installations for closure and realignment under this subtitle.

(2)(A) If the Secretary makes the certifications required under subsection (b), the Secretary shall, by not later than October 15, 2019, publish in the Federal Register and transmit to the congressional defense committees a list of the military installations inside the United States that the Secretary recommends for closure or realignment on the basis of the force-structure plan and infrastructure inventory prepared by the Secretary under subsection (a) and the final selection criteria specified in subsection (d).

(B) The closures and realignments included in the list published by the Secretary under subparagraph (A) may not have an estimated cost to implement that exceeds $5,000,000,000 as certified by the Director of Cost Analysis and Program Evaluation of the Department of Defense.

(C) At the same time as the transmittal of the list under subparagraph (A), the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a certification that—

(i) the recommendations included in such list will yield net savings to the Department of Defense within seven years of completing the closures and realignments included in such recommendations; and

(ii) no individual recommendation for closure or realignment is included in such list unless the closure or realignment demonstrates net savings to the Department within 10 years.

(D) Not later than seven days after the transmittal of the list of recommendations for closure and realignment under subparagraph (A), the Secretary shall submit to the congressional defense committees—

(i) a summary of the selection process that resulted in the recommendation for each installation, including a justification for each recommendation based on the final selection criteria under subsection (d); and

(ii) for each such recommendation, a master plan that contains a list of each facility action (including construction, development, conversion, or extension, and any acquisition of land necessary to produce a complete and usable facility or a complete and usable improvement to an existing facility) required to carry out the closure or realignment, including the scope of work, cost, and timing of each construction activity as documented in military construction project data justifications.

(E) With respect to each recommendation for closure or realignment of a military installation under subparagraph (A), the construction scope and cost data contained in the master plan under subparagraph (D)(ii) for such installation shall be deemed to be the authorization by law to carry out the construction activity as required under chapter 169 of title 10, United States Code.

(3)(A) In considering military installations for closure or realignment, the Secretary shall consider all military installations in the United States equally without regard to whether the installation has been previously considered or proposed for closure or realignment by the Department.

(B) In considering military installations for closure or realignment, the Secretary may not take into account for any purpose any advance conversion planning undertaken by an affected community with respect to the anticipated closure or realignment of an installation.

(C) For purposes of subparagraph (B), in the case of a community anticipating the economic effects of a closure or realignment of a military installation, advance conversion planning—

(i) shall include community adjustment and economic diversification planning undertaken by the community before an anticipated selection of a military installation in or near the community for closure or realignment; and

(ii) may include the development of contingency redevelopment plans, plans for economic development and diversification, and plans for the joint use (including civilian and military use, public and private use, civilian dual use, and civilian shared use) of the property or facilities of the installation after the anticipated closure or realignment.

(D) In making recommendations for closure or realignment of a military installation under subparagraph (A), the Secretary shall consider any notice received from a local government in the vicinity of a military installation that the government would approve of the closure or realignment of the installation.

(E) Notwithstanding the requirement in subparagraph (D), the Secretary shall make the recommendations referred to in that subparagraph based on the force-structure plan, infrastructure inventory, and final selection criteria otherwise applicable to such recommendations.

(F) The recommendations shall include a statement of the result of the consideration of any notice described in subparagraph (D) that is received with respect to a military installation covered by such recommendations. The statement shall set forth the reasons for the result.

(G) For each closure recommendation, and based on an assessment of the extent of economic impact to local communities supporting the military installation to be closed, the Secretary shall determine and propose an amount to be provided to the local redevelopment agency within a year of the final decision to close the installation to be used to accelerate local redevelopment activities.

(4)(A) In addition to making all information used by the Secretary to prepare the recommendations under this subsection available to Congress (including any committee or member of Congress), the Secretary shall also make such information available to the Comptroller General of the United States.

(B) The Comptroller General shall analyze the information made available to the Comptroller General under subparagraph (A) for each recommendation (including information provided by local communities) and submit any recommendations of the Comptroller General to Congress for consideration.

(5)(A) Each person referred to in subparagraph (B), when submitting information to the Secretary of Defense concerning the closure or realignment of a military installation, shall certify that such information is accurate and complete to the best of that person's knowledge and belief.

(B) Subparagraph (A) applies to the following persons:

(i) The Secretaries of the military departments.

(ii) The heads of the Defense Agencies.

(iii) Each person who is in a position the duties of which include personal and substantial involvement in the preparation and submission of information and recommendations concerning the closure or realignment of military installations, as designated in regulations that the Secretary of Defense shall prescribe, regulations that the Secretary of each military department shall prescribe for personnel within that military department, or regulations that the head of each Defense Agency shall prescribe for personnel within that Defense Agency.

(6) Any information provided to the Secretary of Defense by a person described in paragraph (5)(B), regardless of the method of transmission, shall be made available for the public record and submitted in written form to the Senate and the House of Representatives to be made available to the Members of the House concerned in accordance with the rules of that House. The information shall be submitted to the Senate and House of Representatives within 48 hours after the submission of the information to the Secretary.

(7) No military installation may be recommended for inactive status under this subsection unless the Secretary certifies that its use for future mobilization is essential to meet operational plans.

(8) The Secretary shall analyze and, to the extent the Secretary considers appropriate, recommend the realignment and closure of military installations outside the United States.

(9) Not later than October 31, 2019, the Secretary shall submit to the President a report containing a list of the military installations that the Secretary recommends for closure or realignment under this subsection, including recommendations regarding military installations outside the United States under paragraph (8).

(i) REVIEW BY THE PRESIDENT.—(1) The President shall, by not later than November 15, 2019, transmit to Congress a report containing the President's approval or disapproval of the recommendations of the Secretary under subsection (h).

(2) If the President approves all of the recommendations of the Secretary, the President shall transmit a copy of such recommendations to Congress, together with a certification of such approval.

(3) If the President disapproves of the recommendations of the Secretary, in whole or in part, the President shall transmit to Congress the reasons for that disapproval. The Secretary shall then transmit to the President, by not later than December 1, 2019, a revised list of recommendations for the closure and realignment of military installations.

(4) If the President approves all of the revised recommendations of the Secretary

transmitted to the President under paragraph (3), the President shall transmit a copy of such revised recommendations to Congress, together with a certification of such approval.

(5) If the President does not transmit to Congress an approval and certification described in paragraph (2) or (4) by December 2, 2019, the process by which military installations may be selected for closure or realignment under this subtitle shall be terminated.

SEC. 2713. CLOSURE AND REALIGNMENT OF MILITARY INSTALLATIONS.

(a) IN GENERAL.—The Secretary shall—

(1) close all military installations recommended for closure in the report transmitted to Congress by the President pursuant to section 2712(i) and approved under subsection (b);

(2) realign all military installations recommended for realignment in such report and approved under such subsection;

(3) carry out the privatization in place of a military installation recommended for closure or realignment in such report and approved under such subsection only if privatization in place is a method of closure or realignment of the military installation specified in the recommendations in such report and is determined by the Secretary to be the most cost-effective method of implementation of the recommendation;

(4) carry out the construction activities contained in the master plan for the military installation as required under section 2712(h)(2)(D)(ii);

(5) initiate all such closures and realignments not later than two years after the date on which the President transmits the report to Congress pursuant to section 2712(i) containing the recommendations for such closures or realignments; and

(6) complete all such closures and realignments not later than the end of the five-year period beginning on the date on which the President transmits the report pursuant to section 2712(i) containing the recommendations for such closures or realignments.

(b) CONGRESSIONAL APPROVAL.—The Secretary may not carry out a closure or realignment recommended in the report transmitted by the President pursuant to section 2712(i) unless a joint resolution is enacted approving that closure or realignment.

SEC. 2714. IMPLEMENTATION AND ANALYSIS.

(a) USE IN MAKING ASSESSMENTS AND RECOMMENDATIONS.—In making assessments and recommendations under section 2712, the Secretary shall analyze the requirements and authorities under this section and consider all of the actions to be taken under this section with respect to closing or realigning a military installation under this subtitle.

(b) IMPLEMENTATION.—(1) In closing or realigning any military installation under this subtitle, the Secretary may—

(A) take such actions as may be necessary to close or realign any military installation, including the acquisition of such land, the construction of such replacement facilities, the performance of such activities, and the conduct of such advance planning and design as may be required to transfer functions from a military installation being closed or realigned to another military installation, and may use for such purpose funds in the Account or funds appropriated to the Department of Defense for use in planning and design, minor construction, or operation and maintenance;

(B)(i) provide—

(I) economic adjustment assistance to any community located near a military installation being closed or realigned, and

(II) community planning assistance to any community located near a military installation to which functions will be transferred as a result of the closure or realignment of a military installation,

if the Secretary of Defense determines that the financial resources available to the community (by grant or otherwise) for such purposes are inadequate, and may use for such purposes funds in the Account or funds appropriated to the Department of Defense for economic adjustment assistance or community planning assistance;

(C) carry out activities for the purposes of environmental restoration and mitigation at any such installation, and shall use for such purposes funds in the Account;

(D) provide outplacement assistance to civilian employees employed by the Department of Defense at military installations being closed or realigned, and may use for such purpose funds in the Account or funds appropriated to the Department of Defense for outplacement assistance to employees; and

(E) reimburse other Federal agencies for actions performed at the request of the Secretary with respect to any such closure or realignment, and may use for such purpose funds in the Account or funds appropriated to the Department of Defense and available for such purpose.

(2) In carrying out any closure or realignment under this subtitle, the Secretary shall ensure that environmental restoration of any property made excess to the needs of the Department of Defense as a result of such closure or realignment be carried out as soon as possible with funds available for such purpose.

(c) MANAGEMENT AND DISPOSAL OF PROPERTY.—(1) The Administrator of General Services shall delegate to the Secretary of Defense, with respect to excess and surplus real property, facilities, and personal property located at a military installation closed or realigned under this subtitle—

(A) the authority of the Administrator to utilize excess property under subchapter II of chapter 5 of title 40, United States Code;

(B) the authority of the Administrator to dispose of surplus property under subchapter III of chapter 5 of title 40, United States Code;

(C) the authority to dispose of surplus property for public airports under sections 47151 through 47153 of title 49, United States Code; and

(D) the authority of the Administrator to determine the availability of excess or surplus real property for wildlife conservation purposes in accordance with the Act of May 19, 1948 (16 U.S.C. 667b et seq.).

(2)(A) Subject to subparagraph (B) and paragraphs (3), (4), (5), and (6), the Secretary of Defense shall exercise the authority delegated to the Secretary pursuant to paragraph (1) in accordance with all regulations governing the utilization of excess property and the disposal of surplus property under subtitle I of title 40, United States Code.

(B) The Secretary may, with the concurrence of the Administrator of General Services—

(i) prescribe general policies and methods for utilizing excess property and disposing of surplus property pursuant to the authority delegated under paragraph (1); and

(ii) issue regulations relating to such policies and methods, which shall supersede the regulations referred to in subparagraph (A) with respect to that authority.

(C) The Secretary of Defense may transfer real property or facilities located at a military installation to be closed or realigned under this subtitle, with or without reimbursement, to a military department or other entity (including a nonappropriated fund instrumentality) within the Department of Defense or the Coast Guard.

(D) Before any action may be taken with respect to the disposal of any surplus real property or facility located at any military installation to be closed or realigned under this subtitle, the Secretary of Defense shall consult with the Governor of the State and the heads of the local governments concerned for the purpose of considering any plan for the use of such property by the local community concerned.

(E) If a military installation to be closed, realigned, or placed in an inactive status under this subtitle includes a road used for public access through, into, or around the installation, the Secretary of Defense shall consult with the Governor of the State and the heads of the local governments concerned for the purpose of considering the continued availability of the road for public use after the installation is closed, realigned, or placed in an inactive status.

(3)(A) Not later than 180 days after the date of approval of the closure or realignment of a military installation under this subtitle, the Secretary, in consultation with the redevelopment authority with respect to the installation, shall—

(i) inventory the personal property located at the installation; and

(ii) identify the items (or categories of items) of such personal property that the Secretary determines to be related to real property and anticipates will support the implementation of the redevelopment plan with respect to the installation.

(B) If no redevelopment authority referred to in subparagraph (A) exists with respect to an installation, the Secretary shall consult with—

(i) the local government in whose jurisdiction the installation is wholly located; or

(ii) a local government agency or State government agency designated for the purpose of such consultation by the chief executive officer of the State in which the installation is located.

(C)(i) Except as provided in subparagraphs (E) and (F), the Secretary may not carry out any of the activities specified in clause (ii) with respect to an installation referred to in that clause until the earlier of—

(I) one week after the date on which the redevelopment plan for the installation is submitted to the Secretary;

(II) the date on which the redevelopment authority notifies the Secretary that it will not submit such a plan;

(III) two years after the date of approval of the closure or realignment of the installation; or

(IV) 90 days before the date of the closure or realignment of the installation.

(ii) The activities specified in this clause are activities relating to the closure or realignment of an installation to be closed or realigned under this subtitle as follows:

(I) The transfer from the installation of items of personal property at the installation identified in accordance with subparagraph (A).

(II) The reduction in maintenance and repair of facilities or equipment located at the installation below the minimum levels required to support the use of such facilities or equipment for nonmilitary purposes.

(D) Except as provided in paragraph (4), the Secretary may not transfer items of personal property located at an installation to be closed or realigned under this subtitle to another installation, or dispose of such items, if such items are identified in the redevelopment plan for the installation as items essential to the reuse or redevelopment of the installation. In connection with the development of the redevelopment plan for the installation, the Secretary shall consult with the entity responsible for developing the redevelopment plan to identify the items of

personal property located at the installation, if any, that the entity desires to be retained at the installation for reuse or redevelopment of the installation.

(E) This paragraph shall not apply to any personal property located at an installation to be closed or realigned under this subtitle if the property—

(i) is required for the operation of a unit, function, component, weapon, or weapons system at another installation;

(ii) is uniquely military in character, and is likely to have no civilian use (other than use for its material content or as a source of commonly used components);

(iii) is not required for the reutilization or redevelopment of the installation (as jointly determined by the Secretary and the redevelopment authority);

(iv) is stored at the installation for purposes of distribution (including spare parts or stock items); or

(v)(I) meets known requirements of an authorized program of another Federal agency for which expenditures for similar property would be necessary; and

(II) is the subject of a written request by the head of the agency.

(F) Notwithstanding subparagraphs (C)(i) and (D), the Secretary may carry out any activity referred to in subparagraph (C)(ii) or (D) if the Secretary determines that the carrying out of such activity is in the national security interest of the United States.

(4)(A) The Secretary may transfer real property and personal property located at a military installation to be closed or realigned under this subtitle to the redevelopment authority with respect to the installation for purposes of job generation on the installation.

(B) The transfer of property located at a military installation under subparagraph (A) may be for consideration at or below the estimated fair market value or without consideration. The determination of such consideration may account for the economic conditions of the local affected community and the estimated costs to redevelop the property. The Secretary may accept, as consideration, a share of the revenues that the redevelopment authority receives from third-party buyers or lessees from sales and long-term leases of the conveyed property, a portion of the profits obtained over time from the development of the conveyed property, consideration in kind (including goods and services), real property and improvements, or such other consideration as the Secretary considers appropriate. The transfer of property located at a military installation under subparagraph (A) may be made for consideration below the estimated fair market value or without consideration only if the redevelopment authority with respect to the installation—

(i) agrees that the proceeds from any sale or lease of the property (or any portion thereof) received by the redevelopment authority during at least the first seven years after the date of the initial transfer of property under subparagraph (A) shall be used to support the economic redevelopment of, or related to, the installation; and

(ii) executes the agreement for transfer of the property and accepts control of the property within a reasonable time after the date of the property disposal record of decision or finding of no significant impact under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(C) For purposes of subparagraph (B)(i), the use of proceeds from a sale or lease described in such subparagraph to pay for, or offset the costs of, public investment on or related to the installation for any of the following purposes shall be considered a use to support the economic redevelopment of, or related to, the installation:

(i) Road construction.

(ii) Transportation management facilities.

(iii) Storm and sanitary sewer construction.

(iv) Police and fire protection facilities and other public facilities.

(v) Utility construction.

(vi) Building rehabilitation.

(vii) Historic property preservation.

(viii) Pollution prevention equipment or facilities.

(ix) Demolition.

(x) Disposal of hazardous materials generated by demolition.

(xi) Landscaping, grading, and other site or public improvements.

(xii) Planning for or the marketing of the development and reuse of the installation.

(xiii) Adaptation for and mitigation of natural disasters.

(D) The Secretary may recoup from a redevelopment authority such portion of the proceeds from a sale or lease described in subparagraph (B) as the Secretary determines appropriate if the redevelopment authority does not use the proceeds to support economic redevelopment of, or related to, the installation for the period specified in subparagraph (B).

(E)(i) The Secretary may transfer real property at an installation approved for closure or realignment under this subtitle (including property at an installation approved for realignment which will be retained by the Department of Defense or another Federal agency after realignment) to the redevelopment authority for the installation if the redevelopment authority agrees to lease, directly upon transfer, one or more portions of the property transferred under this subparagraph to the Secretary or to the head of another Federal agency. Subparagraph (B) shall apply to a transfer under this subparagraph.

(ii) A lease under clause (i) shall be for a term not to exceed 50 years, but may provide for options for renewal or extension of the term by the agency concerned.

(iii) A lease under clause (i) may not require rental payments by the United States.

(iv) A lease under clause (i) shall include a provision specifying that if the agency concerned ceases requiring the use of the leased property before the expiration of the term of the lease, the remainder of the lease term may be satisfied by the same or another Federal agency using the property for a use similar to the use under the lease. Exercise of the authority provided by this clause shall be made in consultation with the redevelopment authority concerned.

(v) Notwithstanding clause (iii), if a lease under clause (i) involves a substantial portion of the installation, the agency concerned may obtain facility services for the leased property and common area maintenance from the redevelopment authority or the redevelopment authority's assignee as a provision of the lease. The facility services and common area maintenance shall be provided at a rate no higher than the rate charged to non-Federal tenants of the transferred property. Facility services and common area maintenance covered by the lease shall not include—

(I) municipal services that a State or local government is required by law to provide to all landowners in its jurisdiction without direct charge; or

(II) firefighting or security-guard functions.

(F) The transfer of personal property under subparagraph (A) shall not be subject to the provisions of subchapters II and III of chapter 5 of title 40, United States Code, if the Secretary determines that the transfer of such property is necessary for the effective implementation of a redevelopment plan with respect to the installation at which such property is located.

(G) The provisions of section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)) shall apply to any transfer of real property under this paragraph.

(H) The Secretary may require any additional terms and conditions in connection with a transfer under this paragraph as the Secretary considers appropriate to protect the interests of the United States.

(5)(A) Except as provided in subparagraphs (B) and (C), the Secretary shall take such actions as the Secretary determines necessary to ensure that final determinations under paragraph (1) regarding whether another Federal agency has identified a use for any portion of a military installation to be closed or realigned under this subtitle, or will accept transfer of any portion of such installation, are made not later than 180 days after the date of approval of closure or realignment of that installation.

(B) The Secretary may, in consultation with the redevelopment authority with respect to an installation, postpone making the final determinations referred to in subparagraph (A) with respect to the installation for such period as the Secretary determines appropriate if the Secretary determines that such postponement is in the best interests of the communities affected by the closure or realignment of the installation.

(C)(i) Before acquiring non-Federal real property as the location for a new or replacement Federal facility of any type, the head of the Federal agency acquiring the property shall consult with the Secretary regarding the feasibility and cost advantages of using Federal property or facilities at a military installation closed or realigned or to be closed or realigned under this subtitle as the location for the new or replacement facility. In considering the availability and suitability of a specific military installation, the Secretary and the head of the Federal agency involved shall obtain the concurrence of the redevelopment authority with respect to the installation and comply with the redevelopment plan for the installation.

(ii) Not later than 30 days after acquiring non-Federal real property as the location for a new or replacement Federal facility, the head of the Federal agency acquiring the property shall submit to Congress a report containing the results of the consultation under clause (i) and the reasons why military installations referred to in such clause that are located within the area to be served by the new or replacement Federal facility or within a 200-mile radius of the new or replacement facility, whichever area is greater, were considered to be unsuitable or unavailable for the site of the new or replacement facility.

(6)(A) The disposal of buildings and property located at installations approved for closure or realignment under this subtitle shall be carried out in accordance with this paragraph.

(B)(i) Not later than the date on which the Secretary of Defense completes the final determinations referred to in paragraph (5) relating to the use or transferability of any portion of an installation covered by this paragraph, the Secretary shall—

(I) identify the buildings and property at the installation for which the Department of Defense has a use, for which another Federal agency has identified a use, or of which another Federal agency will accept a transfer;

(II) take such actions as are necessary to identify any building or property at the installation not identified under subclause (I) that is excess property or surplus property;

(III) submit to the Secretary of Housing and Urban Development and to the redevelopment authority for the installation (or the

chief executive officer of the State in which the installation is located if there is no redevelopment authority for the installation at the completion of such final determinations) information on any building or property that is identified under subclause (II); and

(IV) publish in the Federal Register and in a newspaper of general circulation in the communities in the vicinity of the installation information on the buildings and property identified under subclause (II).

(ii) Upon the recognition of a redevelopment authority for an installation covered by this paragraph, the Secretary of Defense shall publish in the Federal Register and in a newspaper of general circulation in the communities in the vicinity of the installation information on the redevelopment authority.

(C)(i) State and local governments, representatives of the homeless, and other interested parties located in the communities in the vicinity of an installation covered by this paragraph shall submit to the redevelopment authority for the installation a notice of the interest, if any, of such governments, representatives, and parties in the buildings or property, or any portion thereof, at the installation that are identified under subparagraph (B)(i)(II). A notice of interest under this clause shall describe the need of the government, representative, or party concerned for the buildings or property covered by the notice.

(ii) The redevelopment authority for an installation shall assist the governments, representatives, and parties referred to in clause (i) in evaluating buildings and property at the installation for purposes of this subparagraph.

(iii) In providing assistance under clause (ii), a redevelopment authority shall—

(I) consult with representatives of the homeless in the communities in the vicinity of the installation concerned; and

(II) undertake outreach efforts to provide information on the buildings and property to representatives of the homeless, and to other persons or entities interested in assisting the homeless, in such communities.

(iv) It is the sense of Congress that redevelopment authorities should begin to conduct outreach efforts under clause (iii)(II) with respect to an installation as soon as practicable after the date of approval of closure or realignment of the installation.

(D)(i) State and local governments, representatives of the homeless, and other interested parties shall submit a notice of interest to a redevelopment authority under subparagraph (C) not later than the date specified for such notice by the redevelopment authority.

(ii) The date specified under clause (i) shall be—

(I) in the case of an installation for which a redevelopment authority has been recognized as of the date of the completion of the determinations referred to in paragraph (5), not earlier than 90 days and not later than 180 days after the date of publication of such determination in a newspaper of general circulation in the communities in the vicinity of the installation under subparagraph (B)(i)(IV); and

(II) in the case of an installation for which a redevelopment authority is not recognized as of such date, not earlier than 90 days and not later than 180 days after the date of the recognition of a redevelopment authority for the installation.

(iii) Upon specifying a date for an installation under this subparagraph, the redevelopment authority for the installation shall—

(I) publish the date specified in a newspaper of general circulation in the communities in the vicinity of the installation concerned; and

(II) notify the Secretary of Defense of the date.

(E)(i) In submitting to a redevelopment authority under subparagraph (C) a notice of interest in the use of buildings or property at an installation to assist the homeless, a representative of the homeless shall submit the following:

(I) A description of the homeless assistance program that the representative proposes to carry out at the installation.

(II) An assessment of the need for the program.

(III) A description of the extent to which the program is or will be coordinated with other homeless assistance programs in the communities in the vicinity of the installation.

(IV) A list of the buildings and property to be used for the program at the installation and a justification for why such buildings and property are necessary to carry out the program.

(V) A description of the financial plan, the organization, and the organizational capacity of the representative to carry out the program.

(VI) An assessment of the time required in order to commence carrying out the program.

(ii) A redevelopment authority may not release to the public any information submitted to the redevelopment authority under clause (i)(V) without the consent of the representative of the homeless concerned unless such release is authorized under Federal law and under the law of the State and communities in which the installation concerned is located.

(iii) If a redevelopment authority does not receive a notice of interest in accordance with clause (i), the requirements set forth in subparagraph (H) are not applicable.

(F)(i) The redevelopment authority for each installation covered by this paragraph shall prepare a redevelopment plan for the installation. The redevelopment authority shall, in preparing the plan, consider the interests in the use to assist the homeless of the buildings and property at the installation that are expressed in the notices submitted to the redevelopment authority under subparagraph (C).

(ii)(I) In connection with a redevelopment plan for an installation, a redevelopment authority and representatives of the homeless shall prepare legally binding agreements that provide for the use to assist the homeless of buildings and property, resources, and assistance on or off the installation. The implementation of such agreements shall be contingent upon the decision regarding the disposal of the buildings and property covered by the agreements by the Secretary of Defense under subparagraph (K) or (L).

(II) Agreements under this clause shall provide for the reversion to the redevelopment authority concerned, or to such other entity or entities as the agreements shall provide, of buildings and property that are made available under this paragraph for use to assist the homeless in the event that such buildings and property cease being used for that purpose.

(iii) A redevelopment authority shall provide opportunity for public comment on a redevelopment plan before submission of the plan to the Secretary of Defense and the Secretary of Housing and Urban Development under subparagraph (G).

(iv) A redevelopment authority shall complete preparation of a redevelopment plan for an installation and submit the plan under subparagraph (G) not later than 270 days after the date specified by the redevelopment authority for the installation under subparagraph (D).

(G)(i) Upon completion of a redevelopment plan under subparagraph (F), a redevelopment authority shall submit an application containing the plan to the Secretary of Defense and the Secretary of Housing and Urban Development.

(ii) A redevelopment authority shall include in an application under clause (i) the following:

(I) A copy of the redevelopment plan, including a summary of any public comments on the plan received by the redevelopment authority under subparagraph (F)(iii).

(II) A copy of each notice of interest of use of buildings and property to assist the homeless that was submitted to the redevelopment authority under subparagraph (C), together with a description of the manner, if any, in which the plan addresses the interest expressed in each such notice and, if the plan does not address such an interest, an explanation why the plan does not address the interest.

(III) A summary of the outreach undertaken by the redevelopment authority under subparagraph (C)(iii)(II) in preparing the plan.

(IV) A statement identifying the representatives of the homeless and the homeless assistance planning boards, if any, with which the redevelopment authority consulted in preparing the plan, and the results of such consultations.

(V) An assessment of the manner in which the redevelopment plan balances the expressed needs of the homeless and the need of the communities in the vicinity of the installation for economic redevelopment and other development.

(VI) Copies of the agreements that the redevelopment authority proposes to enter into under subparagraph (F)(ii).

(H)(i) Except as provided in subparagraph (E)(iii), not later than 60 days after receiving a redevelopment plan under subparagraph (G), the Secretary of Housing and Urban Development shall complete a review of the plan. The purpose of the review is to determine whether the plan, with respect to the expressed interest and requests of representatives of the homeless—

(I) takes into consideration the size and nature of the homeless population in the communities in the vicinity of the installation, the availability of existing services in such communities to meet the needs of the homeless in such communities, and the suitability of the buildings and property covered by the plan for the use and needs of the homeless in such communities;

(II) takes into consideration any economic impact of the homeless assistance under the plan on the communities in the vicinity of the installation;

(III) balances in an appropriate manner the needs of the communities in the vicinity of the installation for economic redevelopment and other development with the needs of the homeless in such communities;

(IV) was developed in consultation with representatives of the homeless and the homeless assistance planning boards, if any, in the communities in the vicinity of the installation; and

(V) specifies the manner in which buildings and property, resources, and assistance on or off the installation will be made available for homeless assistance purposes.

(ii) It is the sense of Congress that the Secretary of Housing and Urban Development shall, in completing the review of a plan under this subparagraph, take into consideration and be receptive to the predominant views on the plan of the communities in the vicinity of the installation covered by the plan.

(iii) The Secretary of Housing and Urban Development may engage in negotiations

and consultations with a redevelopment authority before or during the course of a review under clause (i) with a view toward resolving any preliminary determination of the Secretary that a redevelopment plan does not meet a requirement set forth in that clause. The redevelopment authority may modify the redevelopment plan as a result of such negotiations and consultations.

(iv)(I) Upon completion of a review of a redevelopment plan under clause (i), the Secretary of Housing and Urban Development shall notify the Secretary of Defense and the redevelopment authority concerned of the determination of the Secretary of Housing and Urban Development under that clause.

(II) If the Secretary of Defense and the redevelopment authority concerned do not receive the notice required by subclause (I) with respect to a military installation within the period required by clause (i), the Secretary of Defense shall dispose of the buildings and property at the installation.

(v) If the Secretary of Housing and Urban Development determines as a result of a review under clause (iv) that a redevelopment plan does not meet the requirements set forth in clause (i), a notice under clause (iv) shall include—

(I) an explanation of that determination; and

(II) a statement of the actions that the redevelopment authority must undertake in order to address that determination.

(I)(i) Upon receipt of a notice under subparagraph (H)(iv) of a determination that a redevelopment plan does not meet a requirement set forth in subparagraph (H)(i), a redevelopment authority shall have the opportunity to—

(I) revise the plan in order to address the determination; and

(II) submit the revised plan to the Secretary of Defense and the Secretary of Housing and Urban Development.

(ii) A redevelopment authority shall submit a revised plan under this subparagraph to such Secretaries, if at all, not later than 90 days after the date on which the redevelopment authority receives the notice referred to in clause (i).

(J)(i) Not later than 30 days after receiving a revised redevelopment plan under subparagraph (I), the Secretary of Housing and Urban Development shall review the revised plan and determine if the plan meets the requirements set forth in subparagraph (H)(i).

(ii)(I) The Secretary of Housing and Urban Development shall notify the Secretary of Defense and the redevelopment authority concerned of the determination of the Secretary of Housing and Urban Development under this subparagraph.

(II) If the Secretary of Defense and the redevelopment authority concerned do not receive the notice required by subclause (I) with respect to a military installation within the period required by clause (i), the Secretary of Defense shall dispose of the buildings and property at the installation.

(K)(i) Upon receipt of a notice under subparagraph (H)(iv) or (J)(ii) of the determination of the Secretary of Housing and Urban Development that a redevelopment plan for an installation meets the requirements set forth in subparagraph (H)(i), the Secretary of Defense shall dispose of the buildings and property at the installation.

(ii) For purposes of carrying out an environmental assessment of the closure or realignment of an installation, the Secretary of Defense shall treat the redevelopment plan for the installation (including the aspects of the plan providing for disposal to State or local governments, representatives of the homeless, and other interested parties) as part of the proposed Federal action for the installation.

(iii) The Secretary of Defense shall dispose of buildings and property under clause (i) in accordance with the record of decision or other decision document prepared by the Secretary in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.). In preparing the record of decision or other decision document, the Secretary shall give substantial deference to the redevelopment plan concerned.

(iv) The disposal under clause (i) of buildings and property to assist the homeless shall be without consideration.

(v) In the case of a request for a conveyance under clause (i) of buildings and property for public benefit under section 550 of title 40, United States Code, or sections 47151 through 47153 of title 49, United States Code, the sponsoring Federal agency shall use the eligibility criteria set forth in such section or subchapter II of chapter 471 of title 49, United States Code (as the case may be) to determine the eligibility of the applicant and use proposed in the request for the public benefit conveyance. The determination of such eligibility should be made before submission of the redevelopment plan concerned under subparagraph (G).

(L)(i) If the Secretary of Housing and Urban Development determines under subparagraph (J) that a revised redevelopment plan for an installation does not meet the requirements set forth in subparagraph (H)(i), or if no revised plan is so submitted, that Secretary shall—

(I) review the original redevelopment plan submitted to that Secretary under subparagraph (G), including the notice or notices of representatives of the homeless referred to in clause (ii)(II) of that subparagraph;

(II) consult with the representatives referred to in subclause (I), if any, for purposes of evaluating the continuing interest of such representatives in the use of buildings or property at the installation to assist the homeless;

(III) request that each such representative submit to that Secretary the items described in clause (ii); and

(IV) based on the actions of that Secretary under subclauses (I) and (II), and on any information obtained by that Secretary as a result of such actions, indicate to the Secretary of Defense the buildings and property at the installation that meet the requirements set forth in subparagraph (H)(i).

(ii) The Secretary of Housing and Urban Development may request under clause (i)(III) that a representative of the homeless submit to that Secretary the following:

(I) A description of the program of such representative to assist the homeless.

(II) A description of the manner in which the buildings and property that the representative proposes to use for such purpose will assist the homeless.

(III) Such information as that Secretary requires in order to determine the financial capacity of the representative to carry out the program and to ensure that the program will be carried out in compliance with Federal environmental law and Federal law against discrimination.

(IV) A certification that police services, fire protection services, and water and sewer services available in the communities in the vicinity of the installation concerned are adequate for the program.

(iii) Not later than 30 days after the date of the receipt of a revised plan for an installation under subparagraph (J), the Secretary of Housing and Urban Development shall—

(I) notify the Secretary of Defense and the redevelopment authority concerned of the buildings and property at an installation under clause (i)(IV) that the Secretary of Housing and Urban Development determines are suitable for use to assist the homeless; and

(II) notify the Secretary of Defense of the extent to which the revised plan meets the criteria set forth in subparagraph (H)(i).

(iv)(I) Upon notice from the Secretary of Housing and Urban Development with respect to an installation under clause (iii), the Secretary of Defense shall dispose of buildings and property at the installation in consultation with the Secretary of Housing and Urban Development and the redevelopment authority concerned.

(II) For purposes of carrying out an environmental assessment of the closure or realignment of an installation, the Secretary of Defense shall treat the redevelopment plan submitted by the redevelopment authority for the installation (including the aspects of the plan providing for disposal to State or local governments, representatives of the homeless, and other interested parties) as part of the proposed Federal action for the installation. The Secretary of Defense shall incorporate the notification of the Secretary of Housing and Urban Development under clause (iii)(I) as part of the proposed Federal action for the installation only to the extent, if any, that the Secretary of Defense considers such incorporation to be appropriate and consistent with the best and highest use of the installation as a whole, taking into consideration the redevelopment plan submitted by the redevelopment authority.

(III) The Secretary of Defense shall dispose of buildings and property under subclause (I) in accordance with the record of decision or other decision document prepared by the Secretary in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.). In preparing the record of decision or other decision document, the Secretary shall give deference to the redevelopment plan submitted by the redevelopment authority for the installation.

(IV) The disposal under subclause (I) of buildings and property to assist the homeless shall be without consideration.

(V) In the case of a request for a conveyance under subclause (I) of buildings and property for public benefit under section 550 of title 40, United States Code, or sections 47151 through 47153 of title 49, United States Code, the sponsoring Federal agency shall use the eligibility criteria set forth in such section or subchapter II of chapter 471 of title 49, United States Code (as the case may be) to determine the eligibility of the applicant and use proposed in the request for the public benefit conveyance. The determination of such eligibility should be made before submission of the redevelopment plan concerned under subparagraph (G).

(VI) It is the sense of Congress that the Secretary of Defense and the redevelopment authority should work with State and local agencies to the maximum extent practicable to collaborate on environmental assessments to reduce redundancy of effort and to accelerate redevelopment actions.

(M)(i) In the event of the disposal of buildings and property of an installation pursuant to subparagraph (K) or (L), the redevelopment authority for the installation shall be responsible for the implementation of and compliance with agreements under the redevelopment plan described in that subparagraph for the installation.

(ii) If a building or property reverts to a redevelopment authority under such an agreement, the redevelopment authority shall take appropriate actions to secure, to the maximum extent practicable, the utilization of the building or property by other homeless representatives to assist the homeless. A redevelopment authority may not be required to utilize the building or property to assist the homeless.

(N) The Secretary of Defense may postpone or extend any deadline provided for under

this paragraph in the case of an installation covered by this paragraph for such period as the Secretary considers appropriate if the Secretary determines that such postponement is in the interests of the communities affected by the closure or realignment of the installation. The Secretary shall make such determinations in consultation with the redevelopment authority concerned and, in the case of deadlines provided for under this paragraph with respect to the Secretary of Housing and Urban Development, in consultation with the Secretary of Housing and Urban Development.

(O) For purposes of this paragraph, the term ''communities in the vicinity of the installation'', in the case of an installation, means the communities that constitute the political jurisdictions (other than the State in which the installation is located) that comprise the redevelopment authority for the installation.

(P) For purposes of this paragraph, the term ''other interested parties'', in the case of an installation, includes any parties eligible for the conveyance of property of the installation under section 550 of title 40, United States Code, or sections 47151 through 47153 of title 49, United States Code, whether or not the parties assist the homeless.

(7)(A) Subject to subparagraph (C), the Secretary may enter into agreements (including contracts, cooperative agreements, or other arrangements for reimbursement) with local governments for the provision of police or security services, fire protection services, airfield operation services, or other community services by such governments at military installations to be closed under this subtitle, or at facilities not yet transferred or otherwise disposed of in the case of installations closed under this subtitle, if the Secretary determines that the provision of such services under such agreements is in the best interests of the Department of Defense.

(B) The Secretary may exercise the authority provided under this paragraph without regard to the provisions of chapter 146 of title 10, United States Code.

(C) The Secretary may not exercise the authority under subparagraph (A) with respect to an installation earlier than 180 days before the date on which the installation is to be closed.

(D) The Secretary shall include in a contract for services entered into with a local government under this paragraph a clause that requires the use of professionals to furnish the services to the extent that professionals are available in the area under the jurisdiction of such government.

(d) APPLICABILITY OF NATIONAL ENVIRONMENTAL POLICY ACT OF 1969.—(1) The provisions of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) shall not apply to the actions of the President and, except as provided in paragraph (2), the Department of Defense in carrying out this subtitle.

(2)(A) The provisions of the National Environmental Policy Act of 1969 shall apply to actions of the Department of Defense under this subtitle—

(i) during the process of property disposal; and

(ii) during the process of relocating functions from a military installation being closed or realigned to another military installation after the receiving installation has been selected but before the functions are relocated.

(B) In applying the provisions of the National Environmental Policy Act of 1969 to the processes referred to in subparagraph (A), the Secretary of Defense and the Secretary of the military departments concerned shall not have to consider—

(i) the need for closing or realigning the military installation that has been recommended for closure or realignment;

(ii) the need for transferring functions to any military installation that has been selected as the receiving installation; or

(iii) military installations alternative to those recommended or selected.

(3) A civil action for judicial review, with respect to any requirement of the National Environmental Policy Act of 1969 to the extent such Act is applicable under paragraph (2), of any act or failure to act by the Department of Defense during the closing, realigning, or relocating of functions referred to in clauses (i) and (ii) of paragraph (2)(A), may not be brought more than 60 days after the date of such act or failure to act.

(e) WAIVER.—The Secretary of Defense may close or realign military installations under this subtitle without regard to—

(1) any provision of law restricting the use of funds for closing or realigning military installations included in any appropriations or authorization Act; and

(2) sections 2662 and 2687 of title 10, United States Code.

(f) TRANSFER AUTHORITY IN CONNECTION WITH PAYMENT OF ENVIRONMENTAL REMEDIATION COSTS.—(1)(A) Subject to paragraph (2) of this subsection and section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)), the Secretary may enter into an agreement to transfer by deed real property or facilities referred to in subparagraph (B) with any person who agrees to perform all environmental restoration, waste management, and environmental compliance activities that are required for the property or facilities under Federal and State laws, administrative decisions, agreements (including schedules and milestones), and concurrences.

(B) The real property and facilities referred to in subparagraph (A) are the real property and facilities located at an installation closed or to be closed, or realigned or to be realigned, under this subtitle that are available exclusively for the use, or expression of an interest in a use, of a redevelopment authority under subsection (c)(6)(F) during the period provided for that use, or expression of interest in use, under that subsection. The real property and facilities referred to in subparagraph (A) are also the real property and facilities located at an installation approved for closure or realignment under this subtitle that are available for purposes other than to assist the homeless.

(C) The Secretary may require any additional terms and conditions in connection with an agreement authorized by subparagraph (A) as the Secretary considers appropriate to protect the interests of the United States.

(2) A transfer of real property or facilities may be made under paragraph (1) only if the Secretary certifies to Congress that—

(A) the costs of all environmental restoration, waste management, and environmental compliance activities otherwise to be paid by the Secretary with respect to the property or facilities are equal to or greater than the fair market value of the property or facilities to be transferred, as determined by the Secretary; or

(B) if such costs are lower than the fair market value of the property or facilities, the recipient of the property or facilities agrees to pay the difference between the fair market value and such costs.

(3) In the case of property or facilities covered by a certification under paragraph (2)(A), the Secretary may pay the recipient of such property or facilities an amount equal to the lesser of—

(A) the amount by which the costs incurred by the recipient of such property or facilities for all environmental restoration, waste, management, and environmental compliance activities with respect to such property or facilities exceed the fair market value of such property or facilities as specified in such certification; or

(B) the amount by which the costs (as determined by the Secretary) that would otherwise have been incurred by the Secretary for such restoration, management, and activities with respect to such property or facilities exceed the fair market value of such property or facilities as so specified.

(4) As part of an agreement under paragraph (1), the Secretary shall disclose to the person to whom the property or facilities will be transferred any information of the Secretary regarding the environmental restoration, waste management, and environmental compliance activities described in paragraph (1) that relate to the property or facilities. The Secretary shall provide such information before entering into the agreement.

(5) Nothing in this subsection shall be construed to modify, alter, or amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) or the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.).

(6) Section 330 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 10 U.S.C. 2687 note) shall not apply to any transfer under this subsection to persons or entities described in subsection (a)(2) of such section 330, except in the case of releases or threatened releases not disclosed pursuant to paragraph (4) of this subsection.

SEC. 2715. DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 2017.

(a) IN GENERAL.—(1) If a joint resolution is enacted under section 2713(b), there shall be established on the books of the Treasury an account to be known as the ''Department of Defense Base Closure Account 2017'' (in this section referred to as the ''Account''). The Account shall be administered by the Secretary as a single account.

(2) There shall be deposited into the Account—

(A) funds authorized for and appropriated to the Account;

(B) any funds that the Secretary may, subject to approval in an appropriation Act, transfer to the Account from funds appropriated to the Department of Defense for any purpose, except that such funds may be transferred only after the date on which the Secretary transmits written notice of, and justification for, such transfer to the congressional defense committees; and

(C) except as provided in subsection (d), proceeds received from the lease, transfer, or disposal of any property at a military installation that is closed or realigned under this subtitle.

(3) The Account shall be closed at the time and in the manner provided for appropriation accounts under section 1555 of title 31, United States Code. Unobligated funds that remain in the Account upon closure shall be held by the Secretary of the Treasury until transferred by law after the congressional defense committees receive the report transmitted under subsection (c)(2).

(b) USE OF FUNDS.—(1) The Secretary may use the funds in the Account only for the purposes described in section 2714 with respect to military installations approved for closure or realignment under this subtitle.

(2) When a decision is made to use funds in the Account to carry out a construction project under section 2714(a) at a military installation in support of a master plan for the military installation as required under section 2712(h)(2)(D)(ii), such construction project shall be conducted in accordance with the sections of chapter 169 of title 10,

United States Code, applicable to such construction project.

(3)(A) In the case of construction projects carried out using funds in the Account that exceed the applicable minor construction threshold under section 2805 of title 10, United States Code, the Secretary may carry out such a project that has not been authorized by law if the Secretary determines that—

(i) the project is necessary for the Department to execute a closure or realignment action under this subtitle; and

(ii) the requirement for the project is so urgent that deferral of the project for authorization by law would pose a significant delay in proceeding with a realignment or closure action under this subtitle or is inconsistent with national security or the protection of health, safety, or environmental quality.

(B)(i) When a decision is made to carry out a construction project under subparagraph (A), the Secretary shall submit to the congressional defense committees in writing a report on that decision. Each such report shall include—

(I) a justification for the project and a current estimate of the cost of the project; and

(II) a justification for carrying out the project under this subtitle.

(ii) The Secretary may carry out a construction project under subparagraph (A) only after the end of the seven-day period beginning on the earlier of—

(I) the date on which the report under clause (i) relating to such project is received by the congressional defense committees; or

(II) the date on which a copy of such report is provided to such committees in an electronic medium pursuant to section 480 of title 10, United States Code.

(4) The maximum amount that the Secretary may obligate in any fiscal year under this section is $100,000,000.

(5) A project carried out using funds under this section shall be carried out within the total amount of funds appropriated for the Account that have not been obligated.

(c) REPORTS.—(1)(A) Not later than 60 days after the end of each fiscal year in which the Secretary carries out activities under this subtitle using funds in the Account, the Secretary shall transmit a report to the congressional defense committees of—

(i) the amount and nature of the deposits into, and the expenditures from, the Account during such fiscal year;

(ii) the amount and nature of other expenditures made pursuant to section 2714(a) during such fiscal year;

(iii) the amount and nature of anticipated deposits to be made into, and the anticipated expenditures to be made from, the Account during the first fiscal year commencing after the submission of the report; and

(iv) the amount and nature of anticipated expenditures to be made pursuant to section 2714(a) during the first fiscal year commencing after the submission of the report.

(B) The report for a fiscal year shall include the following:

(i) The obligations and expenditures from the Account during the fiscal year, identified by subaccount and installation, for each military department and Defense Agency.

(ii) The fiscal year in which appropriations for such expenditures were made and the fiscal year in which funds were obligated for such expenditures.

(iii) Each military construction project for which such obligations and expenditures were made, identified by installation and project title.

(iv) A description and explanation of the extent, if any, to which expenditures for military construction projects for the fiscal year differed from any proposals for projects and funding levels for the Account for such fiscal year, including an explanation of—

(I) any failure to carry out military construction projects that were so proposed; and

(II) any expenditures for military construction projects that were not so proposed.

(v) An estimate of the net revenues to be received from property disposals to be completed during the first fiscal year commencing after the submission of the report at military installations approved for closure or realignment under this subtitle.

(2) Not later than 60 days after the closure of the Account under subsection (a)(3), the Secretary shall transmit to the congressional defense committees a report containing an accounting of—

(A) all of the funds deposited into and expended from the Account or otherwise expended under this subtitle with respect to such installations; and

(B) any amount remaining in the Account.

(d) DISPOSAL OR TRANSFER OF COMMISSARY STORES AND PROPERTY PURCHASED WITH NONAPPROPRIATED FUNDS.—(1) If any real property or facility acquired, constructed, or improved (in whole or in part) with commissary store funds or nonappropriated funds is transferred or disposed of in connection with the closure or realignment of a military installation under this subtitle, a portion of the proceeds of the transfer or other disposal of property on that installation shall be deposited in the reserve account established under section 204(b)(7)(C) of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100–526; 10 U.S.C. 2687 note).

(2) The amount so deposited shall be equal to the depreciated value of the investment made with such funds in the acquisition, construction, or improvement of that particular real property or facility. The depreciated value of the investment shall be computed in accordance with regulations prescribed by the Secretary.

(3) The Secretary may use amounts in the reserve account, without further appropriation, for the purpose of acquiring, constructing, and improving—

(A) commissary stores; and

(B) real property and facilities for nonappropriated fund instrumentalities.

(4) In this subsection:

(A) The term ''commissary store funds'' means funds received from the adjustment of, or surcharge on, selling prices at commissary stores fixed under section 2685 of title 10, United States Code.

(B) The term ''nonappropriated funds'' means funds received from a nonappropriated fund instrumentality.

(C) The term ''nonappropriated fund instrumentality'' means an instrumentality of the United States under the jurisdiction of the Armed Forces (including the Army and Air Force Exchange Service, the Navy Resale and Services Support Office, and the Marine Corps exchanges) which is conducted for the comfort, pleasure, contentment, or physical or mental improvement of members of the Armed Forces.

(e) ACCOUNT EXCLUSIVE SOURCE OF FUNDS FOR ENVIRONMENTAL RESTORATION PROJECTS.—Except for funds deposited into the Account under subsection (a), funds appropriated to the Department of Defense may not be used for purposes described in section 2714(a)(1)(C). The prohibition in this subsection shall expire upon the closure of the Account under subsection (a)(3).

(f) AUTHORIZED COST AND SCOPE OF WORK VARIATIONS.—(1) Subject to paragraphs (2) and (3), the cost authorized for a military construction project or military family housing project to be carried out using funds in the Account may not be increased or reduced by more than 20 percent or $2,000,000, whichever is less, of the amount specified for the project in the conference report to accompany the Act of Congress authorizing the project. The scope of work for such a project may not be reduced by more than 25 percent from the scope specified in the most recent budget documents for the projects listed in such conference report.

(2) Paragraph (1) shall not apply to a military construction project or military family housing project to be carried out using funds in the Account with an estimated cost of less than $5,000,000, unless the project has not been previously identified in any budget submission for the Account and exceeds the applicable minor construction threshold under section 2805 of title 10, United States Code.

(3) The limitation on cost or scope variation specified in paragraph (1) shall not apply if the Secretary of Defense makes a determination that an increase or reduction in cost or a reduction in the scope of work for a military construction project or military family housing project to be carried out using funds in the Account is required for the sole purpose of meeting unusual variations in cost or scope. If the Secretary makes such a determination, the Secretary shall notify the congressional defense committees of the variation in cost or scope not later than 21 days before the date on which the variation is made in connection with the project or, if the notification is provided in an electronic medium pursuant to section 480 of title 10, United States Code, not later than 14 days before the date on which the variation is made. The Secretary shall include the reasons for the variation in the notification.

SEC. 2716. RESTRICTION ON OTHER BASE CLOSURE AUTHORITY.

(a) IN GENERAL.—Except as provided in subsection (c), during the period beginning on the date of the enactment of this Act, and ending on April 15, 2020, this subtitle shall be the exclusive authority for selecting for closure or realignment, or for carrying out any closure or realignment of, a military installation inside the United States.

(b) RESTRICTION.—Except as provided in subsection (c), none of the funds available to the Department of Defense may be used, other than under this subtitle, during the period specified in subsection (a)—

(1) to identify, through any transmittal to Congress or through any other public announcement or notification, any military installation inside the United States as an installation to be closed or realigned or as an installation under consideration for closure or realignment; or

(2) to carry out any closure or realignment of a military installation inside the United States.

(c) EXCEPTION.—Nothing in this subtitle affects the authority of the Secretary to carry out closures and realignments to which section 2687 of title 10, United States Code, is not applicable, including closures and realignments carried out for reasons of national security or a military emergency described in subsection (d) of such section.

SEC. 2717. DEFINITIONS.

In this subtitle:

(1) The term ''Account'' means the Department of Defense Base Closure Account established by section 2715(a)(1).

(2) The term ''congressional defense committees'' means the Committee on Armed Services and the Committee on Appropriations of the Senate and the Committee on Armed Services and the Committee on Appropriations of the House of Representatives.

(3) The term ''military installation'' means a base, camp, post, station, yard, center, homeport facility for any ship, or other activity under the jurisdiction of the Department of Defense, including any leased facility. Such term does not include any facility

used primarily for civil works, rivers and harbors projects, flood control, or other projects not under the primary jurisdiction or control of the Department of Defense.

(4) The term ''realignment'' includes any action which both reduces and relocates functions and civilian personnel positions but does not include a reduction in force resulting from workload adjustments, reduced personnel or funding levels, or skill imbalances.

(5) The term ''Secretary'' means the Secretary of Defense.

(6) The term ''United States'' means the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, American Samoa, and any other commonwealth, territory, or possession of the United States.

(7) The term ''date of approval'', with respect to a closure or realignment of an installation, means the date on which Congress approves under section 2713(b) a recommendation of closure or realignment, as the case may be, of such installation.

(8) The term ''redevelopment authority'', in the case of an installation to be closed or realigned under this subtitle, means any entity (including an entity established by a State or local government) recognized by the Secretary of Defense as the entity responsible for developing the redevelopment plan with respect to the installation or for directing the implementation of such plan.

(9) The term ''redevelopment plan'' in the case of an installation to be closed or realigned under this subtitle, means a plan that—

(A) is agreed to by the local redevelopment authority with respect to the installation; and

(B) provides for the reuse or redevelopment of the real property and personal property of the installation that is available for such reuse and redevelopment as a result of the closure or realignment of the installation.

(10) The term ''representative of the homeless'' has the meaning given such term in section 501(i)(4) of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11411(i)(4)).

SEC. 2718. TREATMENT AS A BASE CLOSURE LAW FOR PURPOSES OF OTHER PROVISIONS OF LAW.

(a) DEFINITION OF ''BASE CLOSURE LAW'' IN TITLE 10.—Section 101(a)(17) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

''(D) The Defense Force and Infrastructure Review Act of 2017.''.

(b) DEFINITION OF ''BASE CLOSURE LAW'' IN OTHER LAWS.—

(1) Section 131(b) of Public Law 107–249 (10 U.S.C. 221 note) is amended by striking ''means'' and all that follows and inserting ''has the meaning given the term 'base closure law' in section 101(a)(17) of title 10, United States Code.''.

(2) Section 1334(k)(1) of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103–160; 10 U.S.C. 2701 note) is amended by adding at the end the following new subparagraph:

''(C) The Defense Force and Infrastructure Review Act of 2017.''.

(3) Section 2918(a)(1) of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103–160; 10 U.S.C. 2687 note) is amended by adding at the end the following new subparagraph:

''(C) The Defense Force and Infrastructure Review Act of 2017.''.

SEC. 2719. CONFORMING AMENDMENTS.

(a) DEPOSIT AND USE OF LEASE PROCEEDS.—Section 2667(e) of title 10, United States Code, is amended—

(1) in paragraph (5), by striking ''on or after January 1, 2005,'' and inserting ''from January 1, 2005 through December 31, 2005,''; and

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

''(6) Money rentals received by the United States from a lease under subsection (g) at a military installation approved for closure or realignment under a base closure law on or after January 1, 2006, shall be deposited into the account established under section 2715 of the Defense Force and Infrastructure Review Act of 2017.''.

(b) RESTORED LEAVE.—Section 6304(d)(3)(A) of title 5, United States Code, is amended by striking ''the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note)'' and inserting ''a base closure law, as that term is defined in section 101(a)(17) of title 10,''.

SA 934. Mr. WICKER submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 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 appropriate place, insert the following:

SEC. _____. SHORT-TERM CONTINUATION OF FUNDING FOR THE UNITED STATES MERCHANT MARINE ACADEMY.

(a) IN GENERAL.—Section 51301 of title 46, United States Code, is amended by adding at the end the following:

''(d) CONTINUING FUNDING.—Out of any funds in the general fund of the Treasury not otherwise appropriated, there are hereby appropriated such sums as may be necessary to continue the operations of the United States Merchant Marine Academy for any period, not to exceed 2 weeks in any fiscal year, during which interim or full-year appropriations are not in effect for the United States Merchant Marine Academy.''.

(b) SUNSET.—The amendment made by subsection (a) shall remain in effect until the date that is 2 years after the date of the enactment of this Act.

SA 935. Mr. MCCONNELL (for Ms. WARREN (for herself and Mr. HELLER)) proposed an amendment to the bill S. 327, to direct the Securities and Exchange Commission to provide a safe harbor related to certain investment fund research reports, and for other purposes; as follows:

On page 2, line 14, insert '', other than a broker or dealer that is an investment adviser to the fund or an affiliated person of the investment adviser to the fund'' before the dash.

On page 8, strike line 6 and insert the following:

(e) EXCEPTION.—The safe harbor under subsection (a) shall not apply to the publication or distribution by a broker or a dealer of a covered investment fund research report, the subject of which is a business development company or a registered closed-end investment company, during the time period described in section 230.139(a)(1)(i)(A)(1) of title 17, Code of Federal Regulations, except where expressly permitted by the rules and regulations of the Securities and Exchange Commission under the Federal securities laws.

(f) DEFINITIONS.—For purposes of this Act:

(1) The term ''affiliated person'' has the meaning given the term in section 2(a) of the Investment Company Act of 1940 (15 U.S.C. 80a–2(a)).

On page 8, line 15, strike ''(1)'' and insert ''(2)''.

On page 9, line 20, strike ''(2)'' and insert ''(3)''.

On page 10, line 2, insert '', or any research report published or distributed by any broker or dealer that is an investment adviser (or an affiliated person of an investment adviser) for the covered investment fund'' before the period at the end.

On page 10, line 3, strike ''(3)'' and insert ''(4)''.

On page 10, after line 4, add the following:

(5) The term ''investment adviser'' has the meaning given the term in section 2(a) of the Investment Company Act of 1940 (15 U.S.C. 80a–2(a)).

On page 10, line 5, strike ''(4)'' and insert ''(6)''.

On page 10, line 10, strike ''(5)'' and insert ''(7)''.

SA 936. Mr. MCCONNELL (for Mr. CORNYN) proposed an amendment to the bill S. 1311, to provide assistance in abolishing human trafficking in the United States; as follows:

On page 41, in the matter preceding line 1, strike the items relating to sections 22 through 26 and insert the following:

Sec. 22. Understanding the effects of severe forms of trafficking in persons.
Sec. 23. Combating trafficking in persons.
Sec. 24. Grant accountability.
Sec. 25. HERO Act improvements.

On page 41, between lines 15 and 16, insert the following:

(2) in subsection (e)(1), in the matter preceding subparagraph (A), by striking ''2019'' and inserting ''2023'';

On page 41, line 16, strike ''(2)'' and insert ''(3)''.

On page 41, line 20, strike ''(3) in'' and insert ''(4) in''.

On page 63, strike lines 1 through 16 and insert the following:

SEC. 22. UNDERSTANDING THE EFFECTS OF SEVERE FORMS OF TRAFFICKING IN PERSONS.

On page 65, strike line 1 and insert the following:

SEC. 23. COMBATING TRAFFICKING IN PERSONS.

On page 66, strike line 13 and insert the following:

SEC. 24. GRANT ACCOUNTABILITY.

On page 72, strike lines 21 through 24 and insert the following:

SEC. 25. HERO ACT IMPROVEMENTS.

(a) IN GENERAL.—Section 890A of the Homeland Security Act of 2002 (6 U.S.C. 473) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting ''Homeland Security Investigations,'' after ''Customs Enforcement,''; and

(B) by striking paragraph (2) and inserting the following:

''(2) PURPOSE.—The Center shall provide investigative assistance, training, and equipment to support domestic and international investigations of cyber-related crimes by the Department.'';

(2) in subsection (b)—

On page 73, strike lines 7 through 10 and insert the following:

(i) in subparagraph (B)—

On page 73, line 17, strike ''(iii)'' and insert ''(ii)''.

On page 73, line 19, strike ''(iv)'' and insert ''(iii)''.

On page 73, line 21, strike ''(2) in'' and insert ''(3) in''.

On page 74, line 1, strike ''(DF/DOMEX)''.

On page 74, line 13, strike ''and''.

On page 74, strike line 16 and all that follows through page 79, line 15, and insert the following:

''(e) HERO CHILD-RESCUE CORPS.—

''(1) ESTABLISHMENT.—

''(A) IN GENERAL.—There is established within the Center a Human Exploitation Rescue Operation Child-Rescue Corps Program (referred to in this section as the 'HERO Child-Rescue Corps Program'), which shall be a Department-wide program, in collaboration with the Department of Defense and the National Association to Protect Children.

''(B) PRIVATE SECTOR COLLABORATION.—As part of the HERO Child-Rescue Corps Program, the National Association to Protect Children shall provide logistical support for program participants.

''(2) PURPOSE.—The purpose of the HERO Child-Rescue Corps Program shall be to recruit, train, equip, and employ members of the Armed Forces on active duty and wounded, ill, and injured veterans to combat and prevent child exploitation, including in investigative, intelligence, analyst, inspection, and forensic positions or any other positions determined appropriate by the employing agency.

''(3) FUNCTIONS.—The HERO Child-Rescue Program shall—

''(A) provide, recruit, train, and equip participants of the Program in the areas of digital forensics, investigation, analysis, intelligence, and victim identification, as determined by the Center and the needs of the Department; and

''(B) ensure that during the internship period, participants of the Program are assigned to investigate and analyze—

''(i) child exploitation;

''(ii) child pornography;

''(iii) unidentified child victims;

''(iv) human trafficking;

''(v) traveling child sex offenders; and

''(vi) forced child labor, including the sexual exploitation of minors.

''(f) PAID INTERNSHIP AND HIRING PROGRAM.—

''(1) IN GENERAL.—The Secretary shall establish a paid internship and hiring program for the purpose of placing participants of the HERO Child-Rescue Corps Program (in this subsection referred to as 'participants') into paid internship positions, for the subsequent appointment of the participants to permanent positions, as described in the guidelines promulgated under paragraph (3).

''(2) INTERNSHIP POSITIONS.—Under the paid internship and hiring program required to be established under paragraph (1), the Secretary shall assign or detail participants to positions within United States Immigration and Customs Enforcement or any other Federal agency in accordance with the guidelines promulgated under paragraph (3).

''(3) PLACEMENT.—

''(A) IN GENERAL.—The Secretary shall promulgate guidelines for assigning or detailing participants to positions within United States Immigration and Customs Enforcement and other Federal agencies, which shall include requirements for internship duties and agreements regarding the subsequent appointment of the participants to permanent positions.

''(B) PREFERENCE.—The Secretary shall give a preference to Homeland Security Investigations in assignments or details under the guidelines promulgated under subparagraph (A).

''(4) TERM OF INTERNSHIP.—An appointment to an internship position under this subsection shall be for a term not to exceed 12 months.

''(5) RATE AND TERM OF PAY.—After completion of initial group training and upon beginning work at an assigned office, a participant appointed to an internship position under this subsection who is not receiving monthly basic pay as a member of the Armed Forces on active duty shall receive compensation at a rate that is—

''(A) not less than the minimum rate of basic pay payable for a position at level GS–5 of the General Schedule; and

''(B) not more than the maximum rate of basic pay payable for a position at level GS–7 of the General Schedule.

''(6) ELIGIBILITY.—In establishing the paid internship and hiring program required under paragraph (1), the Secretary shall ensure that the eligibility requirements for participation in the internship program are the same as the eligibility requirements for participation in the HERO Child-Rescue Corps Program.

''(7) HERO CORPS HIRING.—The Secretary shall establish within Homeland Security Investigations positions, which shall be in addition to any positions in existence on the date of enactment of this subsection, for the hiring and permanent employment of graduates of the paid internship program required to be established under paragraph (1).''; and

(3) in subsection (g), as so redesignated—

(A) by striking ''There are authorized'' and inserting the following:

''(1) IN GENERAL.—There are authorized''; and

(B) by adding at the end the following:

''(2) ALLOCATION.—Of the amount made available pursuant to paragraph (1) in each of fiscal years 2018 through 2022, not more than $10,000,000 shall be used to carry out subsection (e) and not less than $2,000,000 shall be used to carry out subsection (f).''.

SA 937. Mr. MCCONNELL (for Mr. GRASSLEY) proposed an amendment to the bill S. 1312, to prioritize the fight against human trafficking in the United States; as follows:

Beginning on page 69, strike line 23 and all that follows through page 70, line 6.

On page 70, line 7, strike ''(e)'' and insert ''(d)''.

On page 73, strike line 22 and insert the following:

requests for funding under clause (i).

''(iii) Before amounts are distributed from the Fund to a department or agency for the purpose described in clause (i), the Director shall evaluate whether the activities proposed to be carried out by such department or agency would duplicate services that are provided by another department or agency of the Federal Government (including the Department of Justice) using amounts from the Fund, and impose measures to avoid such duplication to the greatest extent possible.''.

On page 79, strike lines 18 through 23 and insert the following:

(A) emphasizes a multidisciplinary, collaborative effort by law enforcement officers who provide a broad range of investigation and prosecution options in response to perpetrators, and victim service providers, who offer services and resources for victims;

On page 87, line 17, strike ''comprehensive''.

On page 88, line 1, strike ''comprehensive''.

SA 938. Mrs. ERNST (for herself and Mrs. MCCASKILL) submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 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 I, add the following:

SEC. _____. AH-64 APACHE HELICOPTER PROGRAM.

(a) BASING DECISIONS.—The Secretary of Defense shall halt any decisions or actions taken pursuant to the Army Restructuring Initiative (ARI) or recommendations of the 2016 National Commission on the Future of the Army (NCFA) relating to the basing and force structure of AH–64 Apache helicopters.

(b) ANALYSIS.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Army shall submit to the congressional defense committees a report with findings of the updated and current analysis related to the AH–64 Apache helicopter program, with respect to regular, Reserve, and National Guard forces, which shall be incorporated in the modernization strategy for the total Army required in section 1062, and shall take into particular account—

(1) current and projected readiness data for relevant units in the total Army;

(2) current and anticipated pilot attrition, retention, and training in the total Army, with consideration for contractual training obligations for coalition partner nations;

(3) current trends and policy, without constraints from the Budget Control Act of 2011 (Public Law 112–25), the Army Aviation Restructuring Initiative, and the National Commission on the Future of the Army (NCFA); and

(4) the total number of Attack Reconnaissance Battalions and Heavy Armed Reconnaissance Squadrons needed in the total Army.

(c) RESUMPTION OF TRAINING.—In order to increase AH–64 Apache training capacity, the Secretary of Defense shall resume AH–64 Army National Guard training at an additional location which has demonstrated recent historical capability to meet AH–64 pilot training requirements and increase capacity of AH–64 pilots across the Army, Army National Guard, and coalition partner nations.

SA 939. Mr. REED (for himself, Mr. MCCAIN, Mr. CARDIN, Mr. BROWN, Mr. WHITEHOUSE, and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. STRATEGY ON COUNTERING THE THREAT OF MALIGN INFLUENCE BY THE RUSSIAN FEDERATION.

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

(1) On October 7, 2016, the Department of Homeland Security and the Office of the Director National Intelligence issued a joint statement warning that ''[t]he U.S. Intelligence Community (USIC) is confident that the Russian Government directed the recent compromises of e-mails from U.S. persons and institutions, including from U.S. political organizations. The recent disclosures of alleged hacked e-mails on sites like DCLeaks.com and WikiLeaks and by the Guccifer 2.0 online persona are consistent with the methods and motivations of Russian-directed efforts. These thefts and disclosures are intended to interfere with the U.S.

election process. Such activity is not new to Moscow—the Russians have used similar tactics and techniques across Europe and Eurasia, for example, to influence public opinion there. We believe, based on the scope and sensitivity of these efforts, that only Russia's senior-most officials could have authorized these activities''.

(2) On January 6, 2017, a unanimous report from the United States intelligence community, including the Central Intelligence Agency, the National Security Agency, the Federal Bureau of Investigation, and the Office of the Director of National Intelligence, assessed that Russia President Putin ''ordered an influence campaign in 2016 aimed at the U.S. presidential election'' and that ''Russia's goals were to undermine public faith in the U.S. democratic process''.

(3) The Russian Federation has conducted similar influence campaigns in European countries designed to undermine the North Atlantic Treaty Organization (NATO), the European Union (EU), and other democratic institutions of free societies, and violated the sovereignty and territorial integrity of European countries such as Ukraine and Georgia through the use of force.

(4) Aggressive operations by the Russian Federation and its proxies to influence, interfere with and undermine the core institutions and processes of democratic and free societies, including elections and independent media, pose a threat to the national security of the United States, to the transatlantic relationships, and to the multilateral institutions underpinning the global order, including the North Atlantic Treaty Organization and the European Union.

(b) STATEMENT OF UNITED STATES POLICY.—It is the policy of the United States to employ a whole-of-government approach, utilizing all tools of national power, to effectively counter the threat of malign influence by the Russian Federation while remaining true to the core values and principles of the United States.

(c) STRATEGY REQUIRED.—

(1) STRATEGY.—Not later than 120 days after the date of the enactment of this Act, the President shall submit to the appropriate committees of Congress a comprehensive strategy to counter the threat of malign influence by the Russian Federation.

(2) SCOPE OF STRATEGY.—The strategy required by paragraph (1) shall include actions as follows:

(A) To identify and defend against the threat of malign influence by the Russian Federation, including—

(i) the use of misinformation, disinformation, and propaganda in social and traditional media;

(ii) corrupt or illicit financing of political parties, think tanks, media organizations, and academic institutions; and

(iii) the use of coercive economic tools, including sanctions, market access, and differential pricing, especially in the energy sector.

(B) To deter, and respond when necessary, to malicious cyber activities by the Russian Federation, including through the use of offensive cyber capabilities consistent with the policy specified in section 1621.

(C) To promote the core values and principles of the United States, enhance the transatlantic relationship, strengthen good governance and democracy among our European allies and partners, and further integration into multilateral institutions underpinning the global order, including the North Atlantic Treaty Organization and the European Union.

(3) ELEMENTS.—The strategy required by paragraph (1) shall include the following elements:

(A) THREAT ASSESSMENT.—An assessment of the nature and extent of the threat of malign influence by the Russian Federation to the national security of the United States and our allies and partners, including the following:

(i) An identification of the countries and institutions that are most vulnerable to malign influence by the Russian Federation.

(ii) A description of the active measures and other techniques that the Government of the Russian Federation uses in the conduct of influence activities.

(iii) A description of the key decision-makers, organizational structures, proxies and agents of the Government of the Russian Federation in its conduct of influence activities against the United States and its allies and partners.

(B) SECURITY MEASURES.—Actions to counter the use of force, coercion, and other hybrid warfare operations of the military, intelligence, and other security forces of the Russian Federation, including the following:

(i) Actions to build the military presence and capabilities of military and security forces of the United States and European allies and partners to deter and respond to aggression by the Russian Federation.

(ii) Actions to improve indications and warnings, and capabilities to identify and attribute responsibility for the use of force, coercion, or other hybrid warfare operations by the Russian Federation.

(iii) Actions to support North Atlantic Treaty Organization allies and non-North Atlantic Treaty Organization partners in maintaining their sovereignty and territorial integrity.

(C) INFORMATION OPERATIONS.—Actions to counter information operations of the Russian Federation, including the following:

(i) Actions to identify and attribute malign disinformation, active measures, propaganda, and deception and denial activities of the Russian Federation in the United States and Europe, through traditional and social media.

(ii) The establishment of interagency mechanisms for the coordination and implementation of the strategy with respect to disinformation, active measures, propaganda, and deception and denial activities of the Russian Federation.

(iii) Actions to strengthen the effectiveness of and fully resource the Global Engagement Center to carry out its purpose specified in section 1287(a)(2) of National Defense Authorization Act for Fiscal Year 2017 (22 U.S.C. 2656 note) to lead, synchronize, and coordinate efforts of the Federal Government to recognize, understand, expose, and counter propaganda and disinformation efforts by the Russian Federation, other foreign governments, and non-State actors.

(iv) Programs to strengthen investigative journalism and media independence abroad in countries most vulnerable to malign Russian influence.

(v) Actions to build resilience to disinformation, active measures, propaganda, and deception and denial activities of the Russian Federation in the United States and other countries vulnerable to malign Russian influence.

(vi) Efforts to work with traditional and social media providers to counter the threat of malign influence by the Russian Federation.

(D) CYBER MEASURES.—Actions to counter the threat of malign influence by the Russian Federation in cyberspace, including the following:

(i) Actions to implement the policy of the United States on cyberspace, cybersecurity, and cyber warfare specified in section 1621.

(ii) Programs to educate citizens, information technology experts, and private sector organizations in the United States and abroad to enhance their resilience to malign influence by the Russian Federation in cyberspace.

(E) POLITICAL AND DIPLOMATIC MEASURES.—Actions to counter malign political influence by the Russian Federation in the United States and among our European allies and partners, including the following:

(i) Programs and activities to enhance the resilience of United States democratic institutions and infrastructure at the national and subnational levels.

(ii) Programs, working through the Department of State and the United States Agency for International Development, to promote good governance and enhance democratic institutions abroad, particularly in countries deemed most vulnerable to malign influence by the Russian Federation.

(iii) Actions within the United Nations, the Organization for Security and Cooperation in Europe, and other multi-lateral organizations to counter malign influence by the Russian Federation.

(iv) Actions to identify organizations or networks of individuals affiliated with or collaborating with the Government of the Russian Federation or proxies of the Russian Federation in the United States or our European allies and partners.

(F) FINANCIAL MEASURES.—Actions to counter corrupt and illicit financial networks of the Russian Federation in the United States and abroad, including the following

(i) Actions to promote the transparency of corrupt and illicit financial transactions of the Russian Federation, and other anti-corruption measures.

(ii) Actions to maintain and enhance the focus within the Department of the Treasury on tracing corrupt and illicit financial flows linked to the Russian Federation that interact with the United States financial system and exposing beneficial ownership and opaque Russia-related business transactions of significant importance.

(iii) Actions to build the capacity of financial intelligence units of allies and partners.

(iv) Actions to enhance financial intelligence cooperation between the United States and the European Union.

(G) ENERGY SECURITY MEASURES.—Actions to promote the energy security of our European allies and partners, and to reduce their dependence on energy imports from the Russian Federation that the Russian Federation uses as a weapon to coerce, intimidate, and influence those countries, including the following:

(i) Actions to develop plans, working with the governments of our European allies and partners to enhance energy market liberalization, effective regulation and oversight, energy reliability, and energy efficiency.

(ii) Actions to work with the European Union to promote the growth of liquefied natural gas trade and expansion of the gas transport infrastructure in Europe.

(iii) Actions to promote a dialogue within the North Atlantic Treaty Organization on a coherent, strategic approach to energy security for North Atlantic Treaty Organization members and partner nations.

(H) PROMOTION OF VALUES.—Actions to promote United States values and principles to provide a strong, credible alternative to malign influence by the Russian Federation, including the following:

(i) Actions to promote our alliance structure, the importance for United States national security of transatlantic security, and the continued integration of countries within multilateral institutions within Europe.

(ii) Public diplomacy and outreach to the people of the Russian Federation.

(d) CONSISTENCY WITH PRIOR LEGISLATION.—The strategy developed pursuant to subsection (c) shall be consistent with the following:

(1) The Countering America's Adversaries Through Sanctions Act (Public law 115–44).

(2) The Ukraine Freedom Support Act of 2014 (22 U.S.C. 8921 et seq.).

(3) The Sovereignty, Integrity, Democracy, and Economic Stability of Ukraine Act of 2014 (22 U.S.C. 8901 et seq.).

(4) The Sergei Magnitsky Rule of Law Accountability Act of 2012 (22 U.S.C. 5811 note).

(e) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In the section the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Appropriations, the Committee on the Judiciary, the Committee on Banking, Housing and Urban Affairs, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on Appropriations, the Committee on the Judiciary, the Committee on Financial Services, and the Permanent Select Committee on Intelligence of the House of Representatives.

PRIVILEGES OF THE FLOOR

Mrs. ERNST. Mr. President, I ask unanimous consent that Ken Hockycko, a fellow in my office, be granted floor privileges for the remainder of the year.

The PRESIDING OFFICER. Without objection, it is so ordered.

SIGNING AUTHORITY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the junior Senator from Montana be authorized to sign duly enrolled bills or joint resolutions on Monday, September 11, 2017.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDING SECTION 1113 OF THE SOCIAL SECURITY ACT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 3732.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 3732) to amend section 1113 of the Social Security Act to provide authority for increased fiscal year 2017 and 2018 payments for temporary assistance to United States citizens returned from foreign countries.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the bill be considered read a third time.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill was ordered to a third reading and was read the third time.

Mr. MCCONNELL. I know of no further debate on the bill.

The PRESIDING OFFICER. Is there further debate?

Hearing none, the bill having been read the third time, the question is, Shall the bill pass?

The bill (H.R. 3732) was passed.

Mr. MCCONNELL. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONDEMNING THE VIOLENCE AND DOMESTIC TERRORIST ATTACK THAT TOOK PLACE DURING EVENTS BETWEEN AUGUST 11 AND AUGUST 12, 2017, IN CHARLOTTESVILLE, VIRGINIA

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 212, S.J. Res. 49.

The PRESIDING OFFICER. The clerk will report the joint resolution by title.

The senior assistant legislative clerk read as follows:

A joint resolution (S.J. Res. 49) condemning the violence and domestic terrorist attack that took place during events between August 11 and August 12, 2017, in Charlottesville, Virginia, recognizing the first responders who lost their lives while monitoring the events, offering deepest condolences to the families and friends of those individuals who were killed and deepest sympathies and support to those individuals who were injured by the violence, expressing support for the Charlottesville community, rejecting White nationalists, White supremacists, the Ku Klux Klan, neo-Nazis, and other hate groups, and urging the President and the President's Cabinet to use all available resources to address the threats posed by those groups.

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. MCCONNELL. Mr. President, I further ask unanimous consent that the joint resolution be read a third time and passed, the preamble be agreed to, and the motions to consider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The joint resolution (S.J. Res. 49) was ordered to be engrossed for a third reading, was read the third time, and passed.

The preamble was agreed to.

The joint resolution, with its preamble, reads as follows:

S.J. RES. 49

Whereas, on the night of Friday, August 11, 2017, a day before a White nationalist demonstration was scheduled to occur in Charlottesville, Virginia, hundreds of torch-bearing White nationalists, White supremacists, Klansmen, and neo-Nazis chanted racist, anti-Semitic, and anti-immigrant slogans and violently engaged with counter-demonstrators on and around the grounds of the University of Virginia in Charlottesville;

Whereas, on Saturday, August 12, 2017, ahead of the scheduled start time of the planned march, protestors and counter-demonstrators gathered at Emancipation Park in Charlottesville;

Whereas the extremist demonstration turned violent, culminating in the death of peaceful counter-demonstrator Heather Heyer and injuries to 19 other individuals after a neo-Nazi sympathizer allegedly drove a vehicle into a crowd, an act that resulted in a charge of second degree murder, 3 counts of malicious wounding, and 1 count of hit and run;

Whereas 2 Virginia State Police officers, Lieutenant H. Jay Cullen and Trooper Pilot Berke M.M. Bates, died in a helicopter crash as they patrolled the events occurring below them;

Whereas the Charlottesville community is engaged in a healing process following this horrific and violent display of bigotry; and

Whereas White nationalists, White supremacists, the Ku Klux Klan, neo-Nazis, and other hate groups reportedly are organizing similar events in other cities in the United States and communities everywhere are concerned about the growing and open display of hate and violence being perpetrated by those groups: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress—

(1) condemns the racist violence and domestic terrorist attack that took place between August 11 and August 12, 2017, in Charlottesville, Virginia;

(2) recognizes—

(A) Heather Heyer, who was killed, and 19 other individuals who were injured in the reported domestic terrorist attack; and

(B) several other individuals who were injured in separate attacks while standing up to hate and intolerance;

(3) recognizes the public service and heroism of Virginia State Police officers Lieutenant H. Jay Cullen and Trooper Pilot Berke M.M. Bates, who lost their lives while responding to the events from the air;

(4) offers—

(A) condolences to the families and friends of Heather Heyer, Lieutenant H. Jay Cullen, and Trooper Pilot Berke M.M. Bates; and

(B) sympathy and support to those individuals who are recovering from injuries sustained during the attacks;

(5) expresses support for the Charlottesville community as the community heals following this demonstration of violent bigotry;

(6) rejects White nationalism, White supremacy, and neo-Nazism as hateful expressions of intolerance that are contradictory to the values that define the people of the United States; and

(7) urges—

(A) the President and his administration to—

(i) speak out against hate groups that espouse racism, extremism, xenophobia, anti-Semitism, and White supremacy; and

(ii) use all resources available to the President and the President's Cabinet to address the growing prevalence of those hate groups in the United States; and

(B) the Attorney General to work with—

(i) the Secretary of Homeland Security to investigate thoroughly all acts of violence, intimidation, and domestic terrorism by White supremacists, White nationalists, neo-Nazis, the Ku Klux Klan, and associated groups in order to determine if any criminal laws have been violated and to prevent those groups from fomenting and facilitating additional violence; and

(ii) the heads of other Federal agencies to improve the reporting of hate crimes and to emphasize the importance of the collection, and the reporting to the Federal Bureau of Investigation, of hate crime data by State and local agencies.

SMALL BUSINESS CAPITAL FORMATION ENHANCEMENT ACT

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be discharged from further consideration of S. 416 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 senior assistant legislative clerk read as follows:

A bill (S. 416) to amend the Small Business Investment Incentive Act of 1980 to require an annual review by the Securities and Exchange Commission of the annual government-business forum on capital formation.

There being no objection, the Senate proceeded to consider the bill.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 416) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 416

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 ''Small Business Capital Formation Enhancement Act''.

SEC. 2. ANNUAL REVIEW OF GOVERNMENT-BUSINESS FORUM ON CAPITAL FORMATION.

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

''(e) The Commission shall—

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

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

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

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

FAIR ACCESS TO INVESTMENT RESEARCH ACT OF 2017

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 11, S. 327.

The PRESIDING OFFICER. The clerk will report the bill by tile.

The senior assistant legislative clerk read as follows:

A bill (S. 327) to direct the Securities and Exchange Commission to provide a safe harbor related to certain investment fund research reports, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Banking, Housing, and Urban Affairs, with amendments, as follows:

(The parts of the bill intended to be stricken are shown in boldface brackets and the parts of the bill intended to be inserted are shown in italics.)

S. 327

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 ''Fair Access to Investment Research Act of 2017''.

SEC. 2. SAFE HARBOR FOR INVESTMENT FUND RESEARCH.

(a) EXPANSION OF THE SAFE HARBOR.—Not later than the end of the **[**45-day**]** *180-day* period beginning on the date of enactment of this Act, the Securities and Exchange Commission shall propose, and not later than the end of the **[**180-day**]** *270-day* period beginning on such date, the Commission shall adopt, upon such terms, conditions, or requirements as the Commission may determine necessary or appropriate in the public interest, for the protection of investors, and for the promotion of capital formation, revisions to section 230.139 of title 17, Code of Federal Regulations, to provide that a covered investment fund research report that is published or distributed by a broker or dealer—

(1) shall be deemed, for purposes of sections 2(a)(10) and 5(c) of the Securities Act of 1933 (15 U.S.C. 77b(a)(10), 77e(c)), not to constitute an offer for sale or an offer to sell a security that is the subject of an offering pursuant to a registration statement that is effective, even if the broker or dealer is participating or will participate in the registered offering of the covered investment fund's securities; and

(2) shall be deemed to satisfy the conditions of paragraph **[**(a)**]**(1) or **[**(a)**]**(2) of section 230.139 *(a)* of title 17, Code of Federal Regulations, or any successor provisions, for purposes of the Commission's rules and regulations under the Federal securities laws and the rules of any self-regulatory organization.

(b) IMPLEMENTATION OF SAFE HARBOR.—In implementing the safe harbor pursuant to subsection (a), the Commission shall—

(1) not, in the case of a covered investment fund with a class of securities in substantially continuous distribution, condition the safe harbor on whether the broker's or dealer's publication or distribution of a covered investment fund research report constitutes such broker's or dealer's initiation or reinitiation of research coverage on such covered investment fund or its securities;

(2) not—

(A) require the covered investment fund to have been registered as an investment company under the Investment Company Act of 1940 (15 U.S.C. 80a–1 et seq.) or subject to the reporting requirements of section 13 or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m, 78o(d)) for any period exceeding the period of time referenced under **[**paragraph (a)(1)(i)(A)(1) of**]** section 230.139 *(a)(1)(i)(A)(1)* of title 17, Code of Federal Regulations; or

(B) impose a minimum float provision exceeding that referenced in **[**paragraph (a)(1)(i)(A)(1)(i) of**]** section 230.139 *(a)(1)(i)(A)(1)(i)* of title 17, Code of Federal Regulations;

(3) provide that a self-regulatory organization may not maintain or enforce any rule that would—

(A) prohibit the ability of a member to publish or distribute a covered investment fund research report solely because the member is also participating in a registered offering or other distribution of any securities of such covered investment fund; or

(B) prohibit the ability of a member to participate in a registered offering or other distribution of securities of a covered investment fund solely because the member has published or distributed a covered investment fund research report about such covered investment fund or its securities; and

(4) provide that a covered investment fund research report shall not be subject to section 24(b) of the Investment Company Act of 1940 (15 U.S.C. 80a–24(b)) or the rules and regulations thereunder, except that such report may still be subject to such section and the rules and regulations thereunder to the extent that it is otherwise not subject to the content standards in the rules of any self-regulatory organization related to research reports, including those contained in the rules governing communications with the public regarding investment companies or substantially similar standards.

(c) RULES OF CONSTRUCTION.—Nothing in this Act shall be construed as in any way limiting—

(1) the applicability of the antifraud or antimanipulation provisions of the Federal securities laws and rules adopted thereunder to a covered investment fund research report, including section 17 of the Securities Act of 1933 (15 U.S.C. 77q), section 34(b) of the Investment Company Act of 1940 (15 U.S.C. 80a–33(b)), and sections 9 and 10 of the Securities Exchange Act of 1934 (15 U.S.C. 78i, 78j); or

(2) the authority of any self-regulatory organization to examine or supervise a member's practices in connection with such member's publication or distribution of a covered investment fund research report for compliance with applicable provisions of the Federal securities laws or self-regulatory organization rules related to research reports, including those contained in rules governing communications with the public*, or to require the filing of communications with the public the purpose of which is not to provide research and analysis of covered investment funds*.

(d) INTERIM EFFECTIVENESS OF SAFE HARBOR.—

(1) IN GENERAL.—From and after the **[**180-day**]** *270-day* period beginning on the date of enactment of this Act, if the Commission has not adopted revisions to section 230.139 of title 17, Code of Federal Regulations, as required by subsection (a), and until such time as the Commission has done so, a broker or dealer distributing or publishing a covered investment fund research report after such date shall be able to rely on the provisions of section 230.139 of title 17, Code of Federal Regulations, and the broker or dealer's publication of such report shall be deemed to satisfy the conditions of paragraph **[**(a)**]**(1) or **[**(a)**]**(2) of **[**that**]** section *230.139(a) of title 17, Code of Federal Regulations*, if the covered investment fund that is the subject of such report satisfies the reporting history requirements (without regard to Form S–3 or Form F–3 eligibility) and minimum float provisions of such subsections for purposes of the Commission's rules and regulations under the Federal securities laws and the rules of any self-regulatory organization, as if revised and implemented in accordance with subsections (a) and (b).

(2) STATUS OF COVERED INVESTMENT FUND.—After such period and until the Commission has adopted revisions to section 230.139 of title 17, Code of Federal Regulations, and FINRA has revised rule 2210, for purposes of subsection (c)(7)(O) of such rule, a covered investment fund shall be deemed to be a security that is listed on a national securities exchange and that is not subject to section 24(b) of the Investment Company Act of 1940 (15 U.S.C. 80a–24(b)). **[**Communications concerning only covered investment funds that fall within the scope of such section shall not be required to be filed with FINRA.**]**

(3) COVERED INVESTMENT FUNDS COMMUNICATIONS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), communications that concern only covered investment funds that fall within

the scope of section 24(b) of the Investment Company Act of 1940 (15 U.S.C. 80a–24(b)) shall not be required to be filed with FINRA.

(B) EXCEPTION.—FINRA may require the filing of communications with the public if the purpose of those communications is not to provide research and analysis of covered investment funds.

(e) DEFINITIONS.—For purposes of this Act:

[(1) The term ''covered investment fund research report'' means a research report published or distributed by a broker or dealer about a covered investment fund or any securities issued by the covered investment fund, but does not include a research report to the extent that the research report is published or distributed by the covered investment fund or any affiliate of the covered investment fund.]

([2]*1*) The term ''covered investment fund'' means—

(A) an investment company registered under, or that has filed an election to be treated as a business development company under, the Investment Company Act of 1940 (15 U.S.C. 80a–1 et seq.) and that has filed a registration statement under the Securities Act of 1933 (15 U.S.C. 77a et seq.) for the public offering of a class of its securities, which registration statement has been declared effective by the Commission; and

(B) a trust or other person—

(i) issuing securities in an offering registered under the Securities Act of 1933 *(15 U.S.C. 77a et seq.)* and which class of securities is listed for trading on a national securities exchange;

(ii) the assets of which consist primarily of commodities, currencies, or derivative instruments that reference commodities or currencies, or interests in the foregoing; and

(iii) that provides in its registration statement under the Securities Act of 1933 *(15 U.S.C. 77a et seq.)* that a class of its securities are purchased or redeemed, subject to conditions or limitations, for a ratable share of its assets.

(2) The term ''covered investment fund research report'' means a research report published or distributed by a broker or dealer about a covered investment fund or any securities issued by the covered investment fund, but does not include a research report to the extent that the research report is published or distributed by the covered investment fund or any affiliate of the covered investment fund.

(3) The term ''FINRA'' means the Financial Industry Regulatory Authority.

(4) The term ''research report'' has the meaning given that term under section 2(a)(3) of the Securities Act of 1933 (15 U.S.C. 77b(a)(3)), except that such term shall not include an oral communication.

(5) The term ''self-regulatory organization'' has the meaning given [to] that term under section 3(a)(26) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a)(26)).

Mr. McCONNELL. Mr. President, I ask unanimous consent that the committee-reported amendments be considered; the Warren-Heller amendment at the desk be considered and agreed to; the committee-reported amendments, as amended, be agreed to; the bill, as amended, be considered read a third time and passed; and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 935) was agreed to, as follows:

(Purpose: To improve the bill)

On page 2, line 14, insert '', other than a broker or dealer that is an investment adviser to the fund or an affiliated person of the investment adviser to the fund'' before the dash.

On page 8, strike line 6 and insert the following:

(e) EXCEPTION.—The safe harbor under subsection (a) shall not apply to the publication or distribution by a broker or a dealer of a covered investment fund research report, the subject of which is a business development company or a registered closed-end investment company, during the time period described in section 230.139(a)(1)(i)(A)(1) of title 17, Code of Federal Regulations, except where expressly permitted by the rules and regulations of the Securities and Exchange Commission under the Federal securities laws.

(f) DEFINITIONS.—For purposes of this Act:

(1) The term ''affiliated person'' has the meaning given the term in section 2(a) of the Investment Company Act of 1940 (15 U.S.C. 80a–2(a)).

On page 8, line 15, strike ''(1)'' and insert ''(2)''.

On page 9, line 20, strike ''(2)'' and insert ''(3)''.

On page 10, line 2, insert '', or any research report published or distributed by any broker or dealer that is an investment adviser (or an affiliated person of an investment adviser) for the covered investment fund'' before the period at the end.

On page 10, line 3, strike ''(3)'' and insert ''(4)''.

On page 10, after line 4, add the following:

(5) The term ''investment adviser'' has the meaning given the term in section 2(a) of the Investment Company Act of 1940 (15 U.S.C. 80a–2(a)).

On page 10, line 5, strike ''(4)'' and insert ''(6)''.

On page 10, line 10, strike ''(5)'' and insert ''(7)''.

The committee-reported amendments, as amended, were agreed to.

The bill (S. 327), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 327

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 ''Fair Access to Investment Research Act of 2017''.

SEC. 2. SAFE HARBOR FOR INVESTMENT FUND RESEARCH.

(a) EXPANSION OF THE SAFE HARBOR.—Not later than the end of the 180-day period beginning on the date of enactment of this Act, the Securities and Exchange Commission shall propose, and not later than the end of the 270-day period beginning on such date, the Commission shall adopt, upon such terms, conditions, or requirements as the Commission may determine necessary or appropriate in the public interest, for the protection of investors, and for the promotion of capital formation, revisions to section 230.139 of title 17, Code of Federal Regulations, to provide that a covered investment fund research report that is published or distributed by a broker or dealer, other than a broker or dealer that is an investment adviser to the fund or an affiliated person of the investment adviser to the fund—

(1) shall be deemed, for purposes of sections 2(a)(10) and 5(c) of the Securities Act of 1933 (15 U.S.C. 77b(a)(10), 77e(c)), not to constitute an offer for sale or an offer to sell a security that is the subject of an offering pursuant to a registration statement that is effective, even if the broker or dealer is participating or will participate in the registered offering of the covered investment fund's securities; and

(2) shall be deemed to satisfy the conditions of paragraph (1) or (2) of section 230.139(a) of title 17, Code of Federal Regulations, or any successor provisions, for purposes of the Commission's rules and regulations under the Federal securities laws and the rules of any self-regulatory organization.

(b) IMPLEMENTATION OF SAFE HARBOR.—In implementing the safe harbor pursuant to subsection (a), the Commission shall—

(1) not, in the case of a covered investment fund with a class of securities in substantially continuous distribution, condition the safe harbor on whether the broker's or dealer's publication or distribution of a covered investment fund research report constitutes such broker's or dealer's initiation or reinitiation of research coverage on such covered investment fund or its securities;

(2) not—

(A) require the covered investment fund to have been registered as an investment company under the Investment Company Act of 1940 (15 U.S.C. 80a–1 et seq.) or subject to the reporting requirements of section 13 or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m, 78o(d)) for any period exceeding the period of time referenced under section 230.139(a)(1)(i)(A)(1) of title 17, Code of Federal Regulations; or

(B) impose a minimum float provision exceeding that referenced in section 230.139(a)(1)(i)(A)(1)(i) of title 17, Code of Federal Regulations;

(3) provide that a self-regulatory organization may not maintain or enforce any rule that would—

(A) prohibit the ability of a member to publish or distribute a covered investment fund research report solely because the member is also participating in a registered offering or other distribution of any securities of such covered investment fund; or

(B) prohibit the ability of a member to participate in a registered offering or other distribution of securities of a covered investment fund solely because the member has published or distributed a covered investment fund research report about such covered investment fund or its securities; and

(4) provide that a covered investment fund research report shall not be subject to section 24(b) of the Investment Company Act of 1940 (15 U.S.C. 80a–24(b)) or the rules and regulations thereunder, except that such report may still be subject to such section and the rules and regulations thereunder to the extent that it is otherwise not subject to the content standards in the rules of any self-regulatory organization related to research reports, including those contained in the rules governing communications with the public regarding investment companies or substantially similar standards.

(c) RULES OF CONSTRUCTION.—Nothing in this Act shall be construed as in any way limiting—

(1) the applicability of the antifraud or antimanipulation provisions of the Federal securities laws and rules adopted thereunder to a covered investment fund research report, including section 17 of the Securities Act of 1933 (15 U.S.C. 77q), section 34(b) of the Investment Company Act of 1940 (15 U.S.C. 80a–33(b)), and sections 9 and 10 of the Securities Exchange Act of 1934 (15 U.S.C. 78i, 78j); or

(2) the authority of any self-regulatory organization to examine or supervise a member's practices in connection with such member's publication or distribution of a covered investment fund research report for compliance with applicable provisions of the Federal securities laws or self-regulatory organization rules related to research reports, including those contained in rules governing

communications with the public, or to require the filing of communications with the public the purpose of which is not to provide research and analysis of covered investment funds.

(d) INTERIM EFFECTIVENESS OF SAFE HARBOR.—

(1) IN GENERAL.—From and after the 270-day period beginning on the date of enactment of this Act, if the Commission has not adopted revisions to section 230.139 of title 17, Code of Federal Regulations, as required by subsection (a), and until such time as the Commission has done so, a broker or dealer distributing or publishing a covered investment fund research report after such date shall be able to rely on the provisions of section 230.139 of title 17, Code of Federal Regulations, and the broker or dealer's publication of such report shall be deemed to satisfy the conditions of paragraph (1) or (2) of section 230.139(a) of title 17, Code of Federal Regulations, if the covered investment fund that is the subject of such report satisfies the reporting history requirements (without regard to Form S–3 or Form F–3 eligibility) and minimum float provisions of such subsections for purposes of the Commission's rules and regulations under the Federal securities laws and the rules of any self-regulatory organization, as if revised and implemented in accordance with subsections (a) and (b).

(2) STATUS OF COVERED INVESTMENT FUND.—After such period and until the Commission has adopted revisions to section 230.139 of title 17, Code of Federal Regulations, and FINRA has revised rule 2210, for purposes of subsection (c)(7)(O) of such rule, a covered investment fund shall be deemed to be a security that is listed on a national securities exchange and that is not subject to section 24(b) of the Investment Company Act of 1940 (15 U.S.C. 80a–24(b)).

(3) COVERED INVESTMENT FUNDS COMMUNICATIONS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), communications that concern only covered investment funds that fall within the scope of section 24(b) of the Investment Company Act of 1940 (15 U.S.C. 80a–24(b)) shall not be required to be filed with FINRA.

(B) EXCEPTION.—FINRA may require the filing of communications with the public if the purpose of those communications is not to provide research and analysis of covered investment funds.

(e) EXCEPTION.—The safe harbor under subsection (a) shall not apply to the publication or distribution by a broker or a dealer of a covered investment fund research report, the subject of which is a business development company or a registered closed-end investment company, during the time period described in section 230.139(a)(1)(i)(A)(1) of title 17, Code of Federal Regulations, except where expressly permitted by the rules and regulations of the Securities and Exchange Commission under the Federal securities laws.

(f) DEFINITIONS.—For purposes of this Act:

(1) The term ''affiliated person'' has the meaning given the term in section 2(a) of the Investment Company Act of 1940 (15 U.S.C. 80a–2(a)).

(2) The term ''covered investment fund'' means—

(A) an investment company registered under, or that has filed an election to be treated as a business development company under, the Investment Company Act of 1940 (15 U.S.C. 80a–1 et seq.) and that has filed a registration statement under the Securities Act of 1933 (15 U.S.C. 77a et seq.) for the public offering of a class of its securities, which registration statement has been declared effective by the Commission; and

(B) a trust or other person—

(i) issuing securities in an offering registered under the Securities Act of 1933 (15 U.S.C. 77a et seq.) and which class of securities is listed for trading on a national securities exchange;

(ii) the assets of which consist primarily of commodities, currencies, or derivative instruments that reference commodities or currencies, or interests in the foregoing; and

(iii) that provides in its registration statement under the Securities Act of 1933 (15 U.S.C. 77a et seq.) that a class of its securities are purchased or redeemed, subject to conditions or limitations, for a ratable share of its assets.

(3) The term ''covered investment fund research report'' means a research report published or distributed by a broker or dealer about a covered investment fund or any securities issued by the covered investment fund, but does not include a research report to the extent that the research report is published or distributed by the covered investment fund or any affiliate of the covered investment fund, or any research report published or distributed by any broker or dealer that is an investment adviser (or an affiliated person of an investment adviser) for the covered investment fund.

(4) The term ''FINRA'' means the Financial Industry Regulatory Authority.

(5) The term ''investment adviser'' has the meaning given the term in section 2(a) of the Investment Company Act of 1940 (15 U.S.C. 80a–2(a)).

(6) The term ''research report'' has the meaning given that term under section 2(a)(3) of the Securities Act of 1933 (15 U.S.C. 77b(a)(3)), except that such term shall not include an oral communication.

(7) The term ''self-regulatory organization'' has the meaning given that term under section 3(a)(26) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a)(26)).

SUPPORTING AMERICA'S INNOVATORS ACT OF 2017

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 12, S. 444.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 444) to amend the Investment Company Act of 1940 to expand the investor limitation for qualifying venture capital funds under an exemption from the definition of an investment company.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 444) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 444

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 ''Supporting America's Innovators Act of 2017''.

SEC. 2. INVESTOR LIMITATION FOR QUALIFYING VENTURE CAPITAL FUNDS.

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

(1) in the matter preceding subparagraph (A), by inserting ''(or, in the case of a qualifying venture capital fund, 250 persons)'' after ''one hundred persons''; and

(2) by adding at the end the following:

''(C)(i) The term 'qualifying venture capital fund' means a venture capital fund that has not more than $10,000,000 in aggregate capital contributions and uncalled committed capital, with such dollar amount to be indexed for inflation once every 5 years by the Commission, beginning from a measurement made by the Commission on a date selected by the Commission, rounded to the nearest $1,000,000.

''(ii) The term 'venture capital fund' has the meaning given the term in section 275.203(l)–1 of title 17, Code of Federal Regulations, or any successor regulation.''.

SECURITIES AND EXCHANGE COMMISSION OVERPAYMENT CREDIT ACT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 13, S. 462.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 462) to require the Securities and Exchange Commission to refund or credit certain excess payments made to the Commission.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 462) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 462

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 ''Securities and Exchange Commission Overpayment Credit Act''.

SEC. 2. REFUNDING OR CREDITING OVERPAYMENT OF SECTION 31 FEES.

(a) DEFINITIONS.—In this section—

(1) the term ''Commission'' means the Securities and Exchange Commission;

(2) the term ''national securities association'' means an association that is registered under section 15A of the Securities Exchange Act of 1934 (15 U.S.C. 78o–3); and

(3) the term ''national securities exchange'' means an exchange that is registered as a national securities exchange under section 6 of the Securities Exchange Act of 1934 (15 U.S.C. 78f).

(b) CREDIT FOR OVERPAYMENT OF FEES.—Notwithstanding section 31(j) of the Securities Exchange Act of 1934 (15 U.S.C. 78ee(j)), and subject to subsection (c) of this section, if a national securities exchange or a national securities association has paid fees and assessments to the Commission in an amount that is more than the amount that

the exchange or association was required to pay under section 31 of the Securities Exchange Act of 1934 (15 U.S.C. 78ee) and, not later than 10 years after the date of such payment, the exchange or association informs the Commission about the payment of such excess amount, the Commission shall offset future fees and assessments due by that exchange or association in an amount that is equal to the difference between the amount that the exchange or association paid and the amount that the exchange or association was required to pay under such section 31.

(c) APPLICABILITY.—Subsection (b) shall apply only to fees and assessments that a national securities exchange or a national securities association was required to pay to the Commission before the date of enactment of this Act.

U.S. TERRITORIES INVESTOR PROTECTION ACT OF 2017

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 14, S. 484.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 484) to amend the Investment Company Act of 1940 to terminate an exemption for companies located in Puerto Rico, the Virgin Islands, and any other possession of the United States.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Banking, Housing, and Urban affairs, with amendments, as follows:

(The parts of the bill intended to be stricken are shown in boldface brackets and the part of the bill intended to be inserted are shown in italics.)

S. 484

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''U.S. Territories Investor Protection Act of 2017''.

SEC. 2. TERMINATION OF EXEMPTION.

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

(1) by striking paragraph (1); and

(2) by redesignating paragraphs (2) through (5) as paragraphs (1) through (4), respectively.

(b) EFFECTIVE DATE AND SAFE HARBOR.—

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

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

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

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the committee-reported amendments be considered and agreed to, the bill, as amended, be considered read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee-reported amendments were agreed to.

The bill (S. 484), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 484

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''U.S. Territories Investor Protection Act of 2017''.

SEC. 2. TERMINATION OF EXEMPTION.

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

(1) by striking paragraph (1); and

(2) by redesignating paragraphs (2) through (5) as paragraphs (1) through (4), respectively.

(b) EFFECTIVE DATE AND SAFE HARBOR.—

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

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

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

ENCOURAGING EMPLOYEE OWNERSHIP ACT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 15, S. 488.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 488) to increase the threshold for disclosures required by the Securities and Exchange Commission relating to compensatory benefit plans, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 488) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 488

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 ''Encouraging Employee Ownership Act''.

SEC. 2. INCREASED THRESHOLD FOR DISCLOSURES RELATING TO COMPENSATORY BENEFIT PLANS.

Not later than 60 days after the date of the enactment of this Act, the Securities and Exchange Commission shall revise section 230.701(e) of title 17, Code of Federal Regulations, so as to increase from $5,000,000 to $10,000,000 the aggregate sales price or amount of securities sold during any consecutive 12-month period in excess of which the issuer is required under such section to deliver an additional disclosure to investors. The Commission shall index for inflation such aggregate sales price or amount every 5 years to reflect the change in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics, rounding to the nearest $1,000,000.

SECURING ACCESS TO NETWORKS IN DISASTERS ACT OF 2017

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 31, S. 102.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 102) to direct the Federal Communications Commission to commence proceedings related to the resiliency of critical communications networks during times of emergency, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce, Science, and Transportation with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Securing Access to Networks in Disasters Act of 2017''.

SEC. 2. SENSE OF CONGRESS.

It is the sense of Congress that the voluntary policies outlined in the Wireless Network Resiliency Cooperative Framework should be adhered to by all parties to aid consumers, 9–1–1 professionals, first responders, and local governments, in accessing communication services during times of emergency.

SEC. 3. SECURING ACCESS TO NETWORKS IN DISASTERS.

(a) DEFINITIONS.—In this section—

(1) the term ''Commission'' means the Federal Communications Commission;

(2) the term ''mobile service'' means—

(A) commercial mobile service (as defined in section 332 of the Communications Act of 1934 (47 U.S.C. 332)); or

(B) commercial mobile data service (as defined in section 6001 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1401));

(3) the term ''times of emergency'' means—

(A) an emergency or major disaster, as those terms are defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122); or

(B) an emergency as declared by the Governor of a State or territory of the United States; and

(4) the term ''WiFi access points'' means wireless Internet access using the standard designated as 802.11 or any variant thereof.

(b) FCC STUDY ON ALTERNATIVE ACCESS TO 9-1-1 SERVICES DURING TIMES OF EMERGENCY.—

(1) STUDY.—Not later than 36 months after the date of enactment of this Act, the Commission shall submit to Congress, and make publicly available on the website of the Commission, a study on the public safety benefits and technical feasibility and cost of—

(A) making telecommunications service provider-owned WiFi access points, and other telecommunications service provider-owned communications technologies operating on unlicensed spectrum, available to the general public for access to 9–1–1 services, without requiring any login credentials, during times of emergency when mobile service is unavailable;

(B) the provision by non-telecommunications service provider-owned WiFi access points of public access to 9–1–1 services during times of emergency when mobile service is unavailable; and

(C) other alternative means of providing the public with access to 9–1–1 services during times of emergency when mobile service is unavailable.

(2) CONSIDERATIONS.—In conducting the study required under paragraph (1), the Commission shall consider issues related to making WiFi access points available to the general public for access to 9-1-1 services, including communications network provider liability, the operational security of communications networks, and any existing actions or authorities in and among the States.

(c) GAO STUDY AND REPORT.—

(1) DEFINITIONS.—In this subsection—

(A) the term ''essential communications services'' means wireline and mobile telephone service, Internet access service, radio and television broadcasting, cable service, and direct broadcast satellite service; and

(B) the term ''Executive departments'' has the meaning given the term in section 101 of title 5, United States Code.

(2) STUDY.—The Comptroller General of the United States shall conduct a study on—

(A) how Executive departments can better ensure essential communications services remain operational during times of emergency;

(B) any legislative matters, if appropriate, Congress could consider to help promote the resiliency of essential communications services; and

(C) whether a nationwide directory of points of contact among providers of essential communications services is needed to facilitate the rapid restoration of such services damaged during times of emergency.

(3) CONSIDERATIONS.—In making the determination described in paragraph (2)(C), the Comptroller General shall consider—

(A) any similar directories that exist at the Federal, State, or local level, including the effectiveness of such directories;

(B) how such a directory could be established and updated, including what types of information would be most useful;

(C) how access to such a directory could be managed to adequately ensure the confidentiality of any sensitive information and operational security of essential communications services; and

(D) the resources necessary to establish and maintain such a directory.

(4) REPORT.—Not later than 18 months after the date of enactment of this Act, the Comptroller General shall transmit a report to Congress containing the findings and recommendations of the study required under paragraph (2).

(d) EXPANDING LIST OF ESSENTIAL SERVICE PROVIDERS DURING FEDERALLY DECLARED EMERGENCIES TO INCLUDE ALL COMMUNICATIONS PROVIDERS; PROVIDING ACCESS TO ESSENTIAL SERVICE PROVIDERS.—Section 427 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5189e) is amended—

(1) in subsection (a)(1)(A), by striking ''telecommunications service'' and inserting ''wireline or mobile telephone service, Internet access service, radio or television broadcasting, cable service, or direct broadcast satellite service''; and

(2) by adding at the end the following:

''(d) MUTUAL AID AGREEMENTS.—The President, acting through the Administrator of the Federal Emergency Management Agency, shall encourage the adoption of mutual aid agreements that recognize the credentials of essential service providers issued by all parties to the mutual aid agreement.''.

(e) COMMUNICATIONS NETWORKS ARE DESIGNATED ESSENTIAL ASSISTANCE DURING FEDERALLY DECLARED EMERGENCIES.—Section 403(a)(3) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170b(a)(3)) is amended—

(1) in subparagraph (I), by striking ''and'' at the end;

(2) in subparagraph (J), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(K) allowing for access to essential service providers necessary for establishing temporary or restoring wireline or mobile telephone service, Internet access service, radio or television broadcasting, cable service, or direct broadcast satellite service.''.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the committee-reported substitute amendment be considered and agreed to, the bill, as amended, be considered read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee-reported amendment in the nature of a substitute was agreed to.

The bill (S. 102), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

ABOLISH HUMAN TRAFFICKING ACT OF 2017

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 188, S. 1311.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 1311) to provide assistance in abolishing human trafficking in the United States.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Abolish Human Trafficking Act of 2017''.

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

Sec. 1. Short title; table of contents.
Sec. 2. Preserving Domestic Trafficking Victims' Fund.
Sec. 3. Mandatory restitution for victims of commercial sexual exploitation.
Sec. 4. Victim-witness assistance in sexual exploitation cases.
Sec. 5. Victim protection training for the Department of Homeland Security.
Sec. 6. Implementing a victim-centered approach to human trafficking.
Sec. 7. Direct services for child victims of human trafficking.
Sec. 8. Holistic training for Federal law enforcement officers and prosecutors.
Sec. 9. Best practices in delivering justice for victims of trafficking.
Sec. 10. Improving the national strategy to combat human trafficking.
Sec. 11. Specialized human trafficking training and technical assistance for service providers.
Sec. 12. Enhanced penalties for human trafficking, child exploitation, and repeat offenders.
Sec. 13. Targeting organized human trafficking perpetrators.
Sec. 14. Investigating complex human trafficking networks.
Sec. 15. Combating sex tourism.
Sec. 16. Human Trafficking Justice Coordinators.
Sec. 17. Interagency Task Force to Monitor and Combat Human Trafficking.
Sec. 18. Additional reporting on crime.
Sec. 19. Making the Presidential Survivor Council permanent.
Sec. 20. Strengthening the national human trafficking hotline.
Sec. 21. Ending Government partnerships with the commercial sex industry.
Sec. 22. Study of human trafficking victim privilege.
Sec. 23. Understanding the effects of severe forms of trafficking in persons.
Sec. 24. Combating trafficking in persons.
Sec. 25. Grant accountability.
Sec. 26. HERO Act improvements.

SEC. 2. PRESERVING DOMESTIC TRAFFICKING VICTIMS' FUND.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Domestic Trafficking Victims' Fund established under section 3014 of title 18, United States Code—

(1) is intended to supplement, and not supplant, any other funding for domestic trafficking victims; and

(2) has achieved the objective described in paragraph (1) since the establishment of the Fund.

(b) ENSURING FULL FUNDING.—Section 3014 of title 18, United States Code, is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by striking ''September 30, 2019'' and inserting ''September 30, 2023'';

(2) in subsection (f), by inserting '', including the mandatory imposition of civil remedies for satisfaction of an unpaid fine as authorized under section 3613, where appropriate'' after ''criminal cases''; and

(3) in subsection (h)(3), by inserting ''and child victims of a severe form of trafficking (as defined in section 103 of the Victims of Trafficking and Violence Protection Act of 2000 (22 U.S.C. 7102))'' after ''child pornography victims''.

SEC. 3. MANDATORY RESTITUTION FOR VICTIMS OF COMMERCIAL SEXUAL EXPLOITATION.

(a) AMENDMENT.—Chapter 117 of title 18, United States Code, is amended by adding at the end the following:

''§ 2429. Mandatory restitution

''(a) Notwithstanding section 3663 or 3663A, and in addition to any other civil or criminal penalty authorized by law, the court shall order restitution for any offense under this chapter.

''(b)(1) The order of restitution under this section shall direct the defendant to pay the victim (through the appropriate court mechanism) the full amount of the victim's losses, as determined by the court under paragraph (3), and shall additionally require the defendant to pay the greater of the gross income or value to the defendant of the victim's services, if the services constitute commercial sex acts as defined under section 1591.

''(2) An order of restitution under this section shall be issued and enforced in accordance with section 3664 in the same manner as an order under section 3663A.

''(3) As used in this subsection, the term 'full amount of the victim's losses' has the same meaning as provided in section 2259(b)(3).

''(c) The forfeiture of property under this section shall be governed by the provisions of section 413 (other than subsection (d) of such section) of the Controlled Substances Act (21 U.S.C. 853).

''(d) As used in this section, the term 'victim' means the individual harmed as a result of a crime under this chapter, including, in the case of a victim who is under 18 years of age, incompetent, incapacitated, or deceased, the legal guardian of the victim or a representative of the victim's estate, or another family member, or any other person appointed as suitable by the court, but in no event shall the defendant be named such representative or guardian.''.

(b) TABLE OF SECTIONS.—The table of sections for chapter 117 of title 18, United States Code, is amended by inserting after the item relating to section 2428 the following:

''2429. Mandatory restitution.''.

SEC. 4. VICTIM-WITNESS ASSISTANCE IN SEXUAL EXPLOITATION CASES.

(a) AVAILABILITY OF DOJ APPROPRIATIONS.—Section 524(c)(1)(B) of title 28, United States Code, is amended by inserting '', chapter 110 of title 18'' after ''chapter 77 of title 18''.

(b) AMENDMENT TO TITLE 31.—Section 9705(a)(2)(B)(v) of title 31, United States Code, is amended by inserting '', chapter 109A of title 18 (relating to sexual abuse), chapter 110 of title 18 (relating to child sexual exploitation), or chapter 117 of title 18 (relating to transportation for illegal sexual activity and related crimes)'' after ''(relating to human trafficking)''.

SEC. 5. VICTIM PROTECTION TRAINING FOR THE DEPARTMENT OF HOMELAND SECURITY.

(a) IN GENERAL.—Title IX of the Justice for Victims of Trafficking Act of 2015 (6 U.S.C. 641 et seq.) is amended by adding at the end the following:

''SEC. 906. VICTIM PROTECTION TRAINING FOR THE DEPARTMENT OF HOMELAND SECURITY.

''(a) DIRECTIVE TO DHS LAW ENFORCEMENT OFFICIALS AND TASK FORCES.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Secretary shall issue a directive to—

''(A) all Federal law enforcement officers and relevant personnel employed by the Department who may be involved in the investigation of human trafficking offenses; and

''(B) members of all task forces led by the Department that participate in the investigation of human trafficking offenses.

''(2) REQUIRED INSTRUCTIONS.—The directive required to be issued under paragraph (1) shall include instructions on—

''(A) the investigation of individuals who patronize or solicit human trafficking victims as being engaged in severe trafficking in persons and how such individuals should be investigated for their roles in severe trafficking in persons; and

''(B) how victims of sex or labor trafficking often engage in criminal acts as a direct result of severe trafficking in persons and such individuals are victims of a crime and affirmative measures should be taken to avoid arresting, charging, or prosecuting such individuals for any offense that is the direct result of their victimization.

''(b) VICTIM SCREENING PROTOCOL.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Secretary shall issue a screening protocol for use during all anti-trafficking law enforcement operations in which the Department is involved.

''(2) REQUIREMENTS.—The protocol required to be issued under paragraph (1) shall—

''(A) require the individual screening of all adults and children who are suspected of engaging in commercial sex acts, child labor that is a violation of law, or work in violation of labor standards to determine whether each individual screened is a victim of human trafficking;

''(B) require affirmative measures to avoid arresting, charging, or prosecuting human trafficking victims for any offense that is the direct result of their victimization;

''(C) be developed in consultation with relevant interagency partners and nongovernmental organizations that specialize in the prevention of human trafficking or in the identification and support of victims of human trafficking and survivors of human trafficking; and

''(D) include—

''(i) procedures and practices to ensure that the screening process minimizes trauma or revictimization of the person being screened; and

''(ii) guidelines on assisting victims of human trafficking in identifying and receiving restorative services.

''(c) MANDATORY TRAINING.—The training described in sections 902 and 904 shall include training necessary to implement—

''(1) the directive required under subsection (a); and

''(2) the protocol required under subsection (b).''.

(b) TABLE OF CONTENTS AMENDMENT.—The table of contents in section 1(b) of the Justice for Victims of Trafficking Act of 2015 (Public Law 114–22; 129 Stat. 227) is amended by inserting after the item relating to section 905 the following:

''Sec. 906. Victim protection training for the Department of Homeland Security.''.

SEC. 6. IMPLEMENTING A VICTIM-CENTERED APPROACH TO HUMAN TRAFFICKING.

Section 107(b)(2) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(b)(2)) is amended—

(1) in subparagraph (B)(ii); by striking the period at the end and inserting ''; and''; and

(2) by adding at the end the following:

''(D) PRIORITY.—In selecting recipients of grants under this paragraph that are only available for law enforcement operations or task forces, the Attorney General may give priority to any applicant that files an attestation with the Attorney General stating that—

''(i) the grant funds—

''(I) will be used to assist in the prevention of severe forms of trafficking in persons in accordance with Federal law;

''(II) will be used to strengthen efforts to investigate and prosecute those who knowingly benefit financially from participation in a venture that has engaged in any act of human trafficking;

''(III) will be used to take affirmative measures to avoid arresting, charging, or prosecuting victims of human trafficking for any offense that is the direct result of their victimization; and

''(IV) will not be used to require a victim of human trafficking to collaborate with law enforcement officers as a condition of access to any shelter or restorative services; and

''(ii) the applicant will provide dedicated resources for anti-human trafficking law enforcement for a period that is longer than the duration of the grant received under this paragraph.''.

SEC. 7. DIRECT SERVICES FOR CHILD VICTIMS OF HUMAN TRAFFICKING.

Section 214(b) of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13002(b)) is amended—

(1) in the heading by inserting ''CHILD VICTIMS OF A SEVERE FORM OF TRAFFICKING IN PERSONS AND'' before ''VICTIMS OF CHILD PORNOGRAPHY''; and

(2) by inserting ''victims of a severe form of trafficking (as defined in section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102(9)(A))) who were under the age of 18 at the time of the offense and'' before ''victims of child pornography''.

SEC. 8. HOLISTIC TRAINING FOR FEDERAL LAW ENFORCEMENT OFFICERS AND PROSECUTORS.

All training required under the Combat Human Trafficking Act of 2015 (42 U.S.C. 14044g) and section 105(c)(4) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(c)(4)) shall—

(1) emphasize that an individual who knowingly solicits or patronizes a commercial sex act from a person who was a minor (consistent with section 1591(c) of title 18, United States Code) or was subject to force, fraud, or coercion is guilty of an offense under chapter 77 of title 18, United States Code, and is a party to a human trafficking offense;

(2) develop specific curriculum for—

(A) under appropriate circumstances, arresting and prosecuting buyers of commercial sex, child labor that is a violation of law, or forced labor as a form of primary prevention; and

(B) investigating and prosecuting individuals who knowingly benefit financially from participation in a venture that has engaged in any act of human trafficking; and

(3) specify that any comprehensive approach to eliminating human trafficking shall include a demand reduction component.

SEC. 9. BEST PRACTICES IN DELIVERING JUSTICE FOR VICTIMS OF TRAFFICKING.

Not later than 180 days after the date of enactment of this Act, the Attorney General shall issue guidance to all offices and components of the Department of Justice—

(1) emphasizing that an individual who knowingly solicits or patronizes a commercial sex act from a person who was a minor (consistent with section 1591(c) of title 18, United States Code) or was subject to force, fraud, or coercion is guilty of an offense under chapter 77 of title 18, United States Code, and is a party to a severe form of trafficking in persons, as that term is defined in section 103(9) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102(9));

(2) recommending and implementing best practices for the collection of special assessments under section 3014 of title 18, United States Code, as added by section 101 of the Justice for Victims of Trafficking Act of 2015 (Public Law 114–22; 129 Stat. 228), including a directive that civil liens are an authorized collection method and remedy under section 3613 of title 18, United States Code; and

(3) clarifying that commercial sexual exploitation is a form of gender-based violence.

SEC. 10. IMPROVING THE NATIONAL STRATEGY TO COMBAT HUMAN TRAFFICKING.

Section 606(b) of the Justice for Victims of Trafficking Act of 2015 (42 U.S.C. 14044h(b)) is amended by adding at the end the following:

''(6) A national strategy to prevent human trafficking and reduce demand for human trafficking victims.''.

SEC. 11. SPECIALIZED HUMAN TRAFFICKING TRAINING AND TECHNICAL ASSISTANCE FOR SERVICE PROVIDERS.

(a) IN GENERAL.—Section 111 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14044f) is amended—

*(1) in the heading, by striking ''**LAW ENFORCEMENT TRAINING PROGRAMS**'' and inserting ''**SPECIALIZED HUMAN TRAFFICKING TRAINING AND TECHNICAL ASSISTANCE FOR SERVICE PROVIDERS**'';*

(2) in subsection (a)(2), by striking ''means a State or a local government.'' and inserting the following: ''means—

''(A) a State or unit of local government;

''(B) a federally recognized Indian tribal government, as determined by the Secretary of the Interior;

''(C) a victim service provider;

''(D) a nonprofit or for-profit organization (including a tribal nonprofit or for-profit organization);

''(E) a national organization; or

''(F) an institution of higher education (including tribal institutions of higher education).'';

(3) by striking subsection (b) and inserting the following:

''(b) GRANTS AUTHORIZED.—The Attorney General may award grants to eligible entities to—

''(1) provide training to identify and protect victims of trafficking;

''(2) improve the quality and quantity of services offered to trafficking survivors; and

''(3) improve victim service providers' partnerships with Federal, State, tribal, and local law enforcement agencies and other relevant entities.''; and

(4) in subsection (c)—

(A) in paragraph (2), by striking ''or'' at the end;

(B) in paragraph (3), by striking the period at the end and inserting a semicolon; and

(C) by inserting after paragraph (3) the following:

''(4) provide technical assistance on the range of services available to victim service providers who serve trafficking victims;

''(5) develop and distribute materials, including materials identifying best practices in accordance with Federal law and policies, to support victim service providers working with human trafficking victims;

''(6) identify and disseminate other publicly available materials in accordance with Federal law to help build capacity of service providers;

''(7) provide training at relevant conferences, through webinars, or through other mechanisms in accordance with Federal law; or

''(8) assist service providers in developing additional resources such as partnerships with Federal, State, tribal, and local law enforcement agencies and other relevant entities in order to access a range of available services in accordance with Federal law.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 2 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162; 119 Stat. 2960) is amended by striking the item relating to section 111 and inserting the following:

''Sec. 111. Grants for specialized human trafficking training and technical assistance for service providers.''.

SEC. 12. ENHANCED PENALTIES FOR HUMAN TRAFFICKING, CHILD EXPLOITATION, AND REPEAT OFFENDERS.

Part I of title 18, United States Code, is amended—

(1) in chapter 77—

(A) in section 1583(a), in the flush text following paragraph (3), by striking ''not more than 20 years'' and inserting ''not more than 30 years'';

(B) in section 1587, by striking ''four years'' and inserting ''10 years''; and

(C) in section 1591(d), by striking ''20 years'' and inserting ''25 years''; and

(2) in section 2426—

(A) in subsection (a), by striking ''twice'' and inserting ''3 times''; and

(B) in subsection (b)(1)(B) by striking ''paragraph (1)'' and inserting ''subparagraph (A)''.

SEC. 13. TARGETING ORGANIZED HUMAN TRAFFICKING PERPETRATORS.

Section 521(c) of title 18, United States Code, is amended—

(1) in paragraph (2), by striking ''and'' at the end;

(2) by redesignating paragraph (3) as paragraph (4);

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

''(3) a Federal offense involving human trafficking, sexual abuse, sexual exploitation, or transportation for prostitution or any illegal sexual activity; and''; and

(4) in paragraph (4), as so redesignated, by striking ''(1) or (2)'' and inserting ''(1), (2), or (3)''.

SEC. 14. INVESTIGATING COMPLEX HUMAN TRAFFICKING NETWORKS.

Section 2516 of title 18, United States Code, is amended—

(1) in subsection (1)(c)—

(A) by inserting ''section 1582 (vessels for slave trade), section 1583 (enticement into slavery),'' after ''section 1581 (peonage),''; and

(B) by inserting ''section 1585 (seizure, detention, transportation or sale of slaves), section 1586 (service on vessels in slave trade), section 1587 (possession of slaves aboard vessel), section 1588 (transportation of slaves from United States),'' after ''section 1584 (involuntary servitude),''; and

(2) in subsection (2)—

(A) by striking ''kidnapping human'' and inserting ''kidnapping, human''; and

(B) by striking ''production, ,'' and inserting ''production, prostitution,''.

SEC. 15. COMBATING SEX TOURISM.

Section 2423 of title 18, United States Code, is amended—

(1) in subsection (b), by striking ''for the purpose'' and inserting ''with a motivating purpose''; and

(2) in subsection (d), by striking ''for the purpose of engaging'' and inserting ''with a motivating purpose of engaging''.

SEC. 16. HUMAN TRAFFICKING JUSTICE COORDINATORS.

Section 606 of the Justice for Victims of Trafficking Act of 2015 (42 U.S.C. 14044h) is amended—

(1) in subsection (b)(1)—

(A) by striking subparagraph (B); and

(B) by redesignating subparagraphs (C) and (D) as subparagraphs (B) and (C), respectively; and

(2) by adding at the end the following:

''(c) HUMAN TRAFFICKING JUSTICE COORDINATORS.—The Attorney General shall designate in each Federal judicial district not less than 1 assistant United States attorney to serve as the Human Trafficking Coordinator for the district who, in addition to any other responsibilities, works with a human trafficking victim-witness specialist and shall be responsible for—

''(1) implementing the National Strategy with respect to all forms of human trafficking, including labor trafficking and sex trafficking;

''(2) prosecuting, or assisting in the prosecution of, human trafficking cases;

''(3) conducting public outreach and awareness activities relating to human trafficking;

''(4) ensuring the collection of data required to be collected under clause (viii) of section 105(d)(7)(Q) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103(d)(7)(Q)), as added by section 17 of the Abolish Human Trafficking Act of 2017, is sought;

''(5) coordinating with other Federal agencies, State, tribal, and local law enforcement agencies, victim service providers, and other relevant non-governmental organizations to build partnerships on activities relating to human trafficking; and

''(6) ensuring the collection of restitution for victims is sought as required to be ordered under section 1593 of title 18, United States Code, and section 2429 of such title, as added by section 3 of the Abolish Human Trafficking Act of 2017.

''(d) DEPARTMENT OF JUSTICE COORDINATOR.—Not later than 60 days after the date of enactment of the Abolish Human Trafficking Act of 2017, the Attorney General shall designate an official who shall coordinate human trafficking efforts within the Department of Justice who, in addition to any other responsibilities, shall be responsible for—

''(1) coordinating, promoting, and supporting the work of the Department of Justice relating to human trafficking, including investigation, prosecution, training, outreach, victim support, grant-making, and policy activities;

''(2) in consultation with survivors of human trafficking, or anti-human trafficking organizations, producing and disseminating, including making publicly available when appropriate, replication guides and training materials for law enforcement officers, prosecutors, judges, emergency responders, individuals working in victim services, adult and child protective services, social services, and public safety, medical personnel, mental health personnel, financial services personnel, and any other individuals whose work may bring them in contact with human trafficking regarding how to—

''(A) identify signs of human trafficking;

''(B) conduct investigations in human trafficking cases;

''(C) address evidentiary issues and other legal issues; and

''(D) appropriately assess, respond to, and interact with victims and witnesses in human trafficking cases, including in administrative, civil, and criminal judicial proceedings; and

''(3) carrying out such other duties as the Attorney General determines necessary in connection with enhancing the understanding, prevention, and detection of, and response to, human trafficking.''.

SEC. 17. INTERAGENCY TASK FORCE TO MONITOR AND COMBAT HUMAN TRAFFICKING.

Section 105(d)(7)(Q) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103(d)(7)(Q)) is amended—

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

(2) by adding at the end the following:

''(viii) the number of convictions obtained under chapter 77 of title 18, United States Code, aggregated separately by the form of offense committed with respect to the victim, including recruiting, enticing, harboring, transporting, providing, obtaining, advertising, maintaining, patronizing, or soliciting a human trafficking victim; and''.

SEC. 18. ADDITIONAL REPORTING ON CRIME.

Section 237(b) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (28 U.S.C. 534 note) is amended—

(1) in paragraph (2), by striking ''and'' at the end;

(2) in paragraph (3), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

''(4) incidents of assisting or promoting prostitution, child labor that is a violation of law, or forced labor of an individual under the age of 18 as described in paragraph (1); and

''(5) incidents of purchasing or soliciting commercial sex acts, child labor that is a violation of law, or forced labor with an individual under the age of 18 as described in paragraph (2).''.

SEC. 19. MAKING THE PRESIDENTIAL SURVIVOR COUNCIL PERMANENT.

Section 115 of the Justice for Victims of Trafficking Act of 2015 (Public Law 114–22; 129 Stat. 243) is amended by striking subsection (h).

SEC. 20. STRENGTHENING THE NATIONAL HUMAN TRAFFICKING HOTLINE.

(a) REPORTING REQUIREMENT.—Section 105(d)(3) of the Victims of Trafficking and Violence Protection Act of 2000 (22 U.S.C. 7103(d)(3)) is amended—

(1) by inserting ''and providing an annual report on the case referrals received from the national human trafficking hotline by Federal departments and agencies'' after ''international trafficking''; and

(2) by inserting ''and reporting requirements'' after ''Any data collection procedures''.

(b) HOTLINE INFORMATION.—Section 107(b)(1)(B)(ii) of such Act (22 U.S.C. 7105(b)(1)(B)(ii)) is amended by adding at the end the following: ''The number of the national human trafficking hotline described in this clause shall be posted in a visible place in all Federal buildings.''.

SEC. 21. ENDING GOVERNMENT PARTNERSHIPS WITH THE COMMERCIAL SEX INDUSTRY.

No Federal funds or resources may be used for the operation of, participation in, or partnership with any program that involves the provision of funding or resources to an organization that—

(1) has the primary purpose of providing adult entertainment; and

(2) derives profits from the commercial sex trade.

SEC. 22. STUDY OF HUMAN TRAFFICKING VICTIM PRIVILEGE.

Not later than 1 year after the date of enactment of this Act, the Judicial Conference of the United States shall—

(1) conduct a study on the necessity and desirability of amending the Federal Rules of Evidence to establish a Federal evidentiary privilege for confidential communications between a victim of human trafficking, regardless of whether the victim of human trafficking is a party to a legal action, and a caseworker assisting the victim of human trafficking; and

(2) submit to Congress a report on the study conducted under paragraph (1).

SEC. 23. UNDERSTANDING THE EFFECTS OF SEVERE FORMS OF TRAFFICKING IN PERSONS.

(a) IN GENERAL.—Title VI of the Justice for Victims of Trafficking Act of 2015 (Public Law 114–22; 129 Stat. 258) is amended by adding at the end the following:

''SEC. 607. UNDERSTANDING THE PHYSICAL AND PSYCHOLOGICAL EFFECTS OF SEVERE FORMS OF TRAFFICKING IN PERSONS.

''(a) IN GENERAL.—The National Institute of Justice and the Centers for Disease Control and Prevention shall jointly conduct a study on the short-term and long-term physical and psychological effects of serious harm (as that term is defined in section 1589(c)(2) and section 1591(e)(4) of title 18, United States Code, as amended by the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (Public Law 110–457; 122 Stat. 5044)) in order to determine the most effective types of services for individuals who are identified as victims of these crimes, including victims in cases that were not investigated or prosecuted by any law enforcement agency, and how new or current treatment and programming options should be tailored to address the unique needs and barriers associated with these victims.

''(b) REPORT.—Not later than 3 years after the date of enactment of the Abolish Human Trafficking Act of 2017, the National Institute of Justice and the Centers for Disease Control and Prevention shall make available to the public the results, including any associated recommendations, of the study conducted under subsection (a).''.

(b) TABLE OF CONTENTS AMENDMENT.—The table of contents in section 1(b) of the Justice for Victims of Trafficking Act of 2015 (Public Law 114–22; 129 Stat. 227) is amended by inserting after the item relating to section 606 the following:

''Sec. 607. Understanding the physical and psychological effects of severe forms of trafficking in persons.''.

SEC. 24. COMBATING TRAFFICKING IN PERSONS.

(a) TRAFFICKING VICTIMS PREVENTION ACT OF 2000 PROGRAMS.—Section 113 of the Trafficking Victims Prevention Act of 2000 (22 U.S.C. 7110) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking ''2014 through 2017'' and inserting ''2018 through 2022.''; and

(B) in paragraph (2), by striking ''2014 through 2017'' and inserting ''2018 through 2022''; and

(2) in subsection (i), by striking ''2014 through 2017'' and inserting ''2018 through 2022''.

(b) REINSTATEMENT AND REAUTHORIZATION OF GRANTS TO COMBAT CHILD SEX TRAFFICKING.—

(1) REINSTATEMENT OF EXPIRED PROVISION.—

(A) IN GENERAL.—Section 202 of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 14044a) is amended to read as such section read on March 6, 2017.

(B) CONFORMING AMENDMENT.—Section 1241(b) of the Violence Against Women Reauthorization Act of 2013 (42 U.S.C. 14044a note) is repealed.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect as though enacted on March 6, 2017.

(3) REAUTHORIZATION.—Section 202(i) of the Trafficking Victims Protection Reauthorization Act of 2005, as amended by paragraph (1), is amended to read as follows:

''(i) FUNDING.—For each of the fiscal years 2018 through 2022, the Attorney General is authorized to allocate up to $8,000,000 of the amounts appropriated pursuant to section 113(d)(1) of the Trafficking Victims Prevention Act of 2000 (22 U.S.C. 7110(d)(1)) to carry out this section.''.

SEC. 25. GRANT ACCOUNTABILITY.

(a) DEFINITIONS.—In this section—

(1) the term ''covered agency'' means an agency authorized to award grants under this Act;

(2) the term ''covered grant'' means a grant authorized to be awarded under this Act; and

(3) the term ''covered official'' means the head of a covered agency.

(b) ACCOUNTABILITY.—All covered grants shall be subject to the following accountability provisions:

(1) AUDIT REQUIREMENT.—

(A) DEFINITION.—In this paragraph, the term ''unresolved audit finding'' means a finding in the final audit report of the Inspector General of a covered agency that the audited grantee has utilized funds under a covered grant for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 12 months from the date when the final audit report is issued.

(B) AUDITS.—Beginning in the first fiscal year beginning after the date of enactment of this Act, and in each fiscal year thereafter, the Inspector General of a covered agency shall conduct audits of recipients of covered grants to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

(C) MANDATORY EXCLUSION.—A recipient of funds under a covered grant that is found to have an unresolved audit finding shall not be eligible to receive funds under a covered grant during the first 2 fiscal years beginning after the end of the 12-month period described in subparagraph (A).

(D) PRIORITY.—In awarding covered grants, a covered official shall give priority to eligible applicants that did not have an unresolved audit finding during the 3 fiscal years before submitting an application for the covered grant.

(E) REIMBURSEMENT.—If an entity is awarded funds under a covered grant during the 2-fiscal-year period during which the entity is barred from receiving covered grants under subparagraph (C), a covered official shall—

(i) deposit an amount equal to the amount of the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

(ii) seek to recoup the costs of the repayment to the fund from the recipient of the covered grant that was erroneously awarded grant funds.

(2) NONPROFIT ORGANIZATION REQUIREMENTS.—

(A) DEFINITION.—For purposes of this paragraph and each covered grant program, the term ''nonprofit organization'' means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

(B) PROHIBITION.—A covered grant may not be awarded to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

(C) DISCLOSURE.—Each nonprofit organization that is awarded a covered grant and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees, and key employees, shall disclose to the applicable covered official, in the application for the covered grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, a covered official shall make the information disclosed under this subparagraph available for public inspection.

(3) CONFERENCE EXPENDITURES.—

(A) LIMITATION.—No amounts made available to a covered agency to carry out a covered grant program may be used by a covered official, or by any individual or entity awarded discretionary funds through a cooperative agreement under a covered grant program, to host or support any expenditure for conferences that uses more than $20,000 in funds made available by the covered agency, unless the covered official provides prior written authorization that the funds may be expended to host the conference.

(B) WRITTEN APPROVAL.—Written approval under subparagraph (A) shall include a written estimate of all costs associated with the conference, including the cost of all food, beverages, audio-visual equipment, honoraria for speakers, and entertainment.

(C) REPORT.—

(i) DEPARTMENT OF JUSTICE.—The Deputy Attorney General shall submit an annual report to the appropriate committees of Congress on all conference expenditures approved under this paragraph.

(ii) DEPARTMENT OF HEALTH AND HUMAN SERVICES.—The Deputy Secretary of Health and Human Services shall submit to the appropriate committees of Congress an annual report on all conference expenditures approved under this paragraph.

(iii) DEPARTMENT OF HOMELAND SECURITY.—The Deputy Secretary of Homeland Security shall submit to the appropriate committees of Congress an annual report on all conference expenditures approved under this paragraph.

(4) ANNUAL CERTIFICATION.—Beginning in the first fiscal year beginning after the date of enactment of this Act, each covered official shall submit to the appropriate committees of Congress an annual certification—

(A) indicating whether—

(i) all audits issued by the Office of the Inspector General of the applicable covered agency under paragraph (1) have been completed and reviewed by the appropriate official;

(ii) all mandatory exclusions required under paragraph (1)(C) have been issued; and

(iii) all reimbursements required under paragraph (1)(E) have been made; and

(B) that includes a list of any recipients of a covered grant excluded under paragraph (1) from the previous year.

(c) PREVENTING DUPLICATIVE GRANTS.—

(1) IN GENERAL.—Before a covered official awards a covered grant, the covered official shall compare potential awards under the covered grant program with other covered grants awarded to determine if duplicate grant awards are awarded for the same purpose.

(2) REPORT.—If a covered official awards duplicate covered grants to the same applicant for

the same purpose the covered official shall submit to the appropriate committees of Congress a report that includes—

(A) a list of all duplicate covered grants awarded, including the total dollar amount of any duplicate covered grants awarded; and

(B) the reason the covered official awarded the duplicate covered grants.

SEC. 26. HERO ACT IMPROVEMENTS.

(a) IN GENERAL.—Section 890A of the Homeland Security Act of 2002 (6 U.S.C. 473) is amended—

(1) in subsection (b)—

(A) in paragraph (2)(C), by inserting after ''personnel'' the following: '', which shall include participating in training for Homeland Security Investigations personnel conducted by Internet Crimes Against Children Task Forces''; and

(B) in paragraph (3)—

(i) in subparagraph (A), by inserting ''in child exploitation investigations'' after ''Enforcement'';

(ii) in subparagraph (B)—

(I) in the matter preceding clause (i), by inserting ''in child exploitation investigations'' after ''Enforcement''; and

(II) in clause (i), by inserting ''child'' before ''victims'';

(iii) in subparagraph (C), by inserting ''child exploitation'' after ''number of''; and

(iv) in subparagraph (D), by inserting ''child exploitation'' after ''number of''; and

(2) in subsection (c)(2)—

(A) in subparagraph (A), in the matter preceding clause (i), by inserting ''and administer the Digital Forensics and Document and Media Exploitation (DF/DOMEX) program'' after ''forensics'';

(B) in subparagraph (C), by inserting ''and emerging technologies'' after ''forensics''; and

(C) in subparagraph (D), by striking ''and the National Association to Protect Children'' and inserting '', the National Association to Protect Children, and other governmental entities''.

(b) HERO CHILD-RESCUE CORPS.—Section 890A of the Homeland Security Act of 2002 (6 U.S.C. 473) is amended—

(1) by redesignating subsection (e) as subsection (g); and

(2) by inserting after subsection (d) the following:

''(e) HERO CHILD-RESCUE CORPS.—

''(1) ESTABLISHMENT.—

''(A) IN GENERAL.—There is established within the Center a Human Exploitation Rescue Operation Child-Rescue Corps Program (referred to in this subsection as the 'HERO Child-Rescue Corps Program'), which shall be a Department-wide program, operated in partnership with the Department of Defense and the National Association to Protect Children.

''(B) TRAINING REQUIREMENT.—As part of the HERO Child-Rescue Corps Program, the National Association to Protect Children shall provide logistical support for program participants.

''(2) PURPOSE.—The purpose of the HERO Child-Rescue Corps Program shall be to recruit, train, equip, and employ wounded, ill, and injured veterans and transitioning members of the military within the Department or other participating agencies, in employment positions to assist in combating and preventing child exploitation, including investigative, intelligence, analyst, inspection, and forensic positions or any other positions determined appropriate by the employing agency.

''(3) FUNCTIONS.—The HERO Child-Rescue Program shall—

''(A) provide, recruit, train, and equip participants of the Program in the areas of digital forensics, investigation, analysis, intelligence, and victim identification, as determined by the Center and the needs of the Department; and

''(B) ensure that during the 1-year period beginning on the date of enactment of this subsection, participants of the Program are assigned to investigate and analyze—

''(i) child exploitation;

''(ii) child pornography;

''(iii) unidentified child victims;

''(iv) human trafficking;

''(v) traveling child sex offenders; and

''(vi) forced child labor, including the sexual exploitation of minors.

''(4) PAID INTERNSHIP AND HIRING PROGRAM.—

''(A) IN GENERAL.—Subject to the availability of appropriations for such purpose, the Secretary may use funds available for operations and support to establish a paid internship and hiring program for the purpose of placing participants of the HERO Child-Rescue Corps Program into paid internship positions, with the intent of subsequent appointment of the participants to permanent positions, as described in subparagraph (C).

''(B) INTERNSHIP POSITIONS.—Under the paid internship and hiring program required to be established under subparagraph (A), the Secretary may appoint not more than 72 individuals to internship positions in the Center per year—

''(i) which shall be in addition to any internship or staffing positions within United States Immigration and Customs Enforcement in existence on the date enactment of this subsection; and

''(ii) who shall be assigned or detailed by the Center in accordance with subparagraph (C).

''(C) PLACEMENT.—

''(i) IN GENERAL.—An individual who is appointed to an internship position under this paragraph shall be assigned or detailed to a position in an agency that—

''(I) has expressed the need to fill a vacancy;

''(II) anticipates making an appointment to a full-time position upon completion of the internship; and

''(III) accepts the training parameters as determined by the Center to be the standard of the Department for the HERO Child-Rescue Corps Program.

''(ii) PREFERENCE.—The Secretary shall give a preference to Homeland Security Investigations in assignments or details under clause (i).

''(D) TERM OF INTERNSHIP.—An appointment to an internship position under this paragraph shall be for a period not to exceed 12 months.

''(E) RATE AND TERM OF PAY.—After completion of initial group training and upon beginning work at an assigned office, an individual appointed to an internship position under this paragraph who is not receiving monthly basic pay as a member of the Armed Forces on active duty shall receive compensation at a rate that is—

''(i) not less than the minimum rate of basic pay payable for a position at level GS-5 of the General Schedule; and

''(ii) not more than the maximum rate of basic pay payable for a position at level GS-7 of the General Schedule.

''(F) ELIGIBILITY.—In establishing the paid internship and hiring program required under subparagraph (A), the Secretary shall ensure that the eligibility requirements for participation in the internship program are the same as the eligibility requirements for participation in the HERO Child-Rescue Corps Program.

''(f) HERO CORPS HIRING.—Subject to the availability of appropriations for such purpose, there are authorized to be established within Homeland Security Investigations the following number of positions, which shall be in addition to any positions in existence on the date of enactment of this subsection, for the hiring and permanent employment of graduates of the paid internship and hiring program required to be established under subsection (e)(4):

''(1) 36 positions in fiscal year 2017.

''(2) 72 positions in fiscal year 2018.

''(3) 108 positions in fiscal year 2019.

''(4) 144 positions in fiscal year 2020.

''(5) 180 positions in fiscal year 2021.''.

(c) TECHNICAL AND CONFORMING AMENDMENT.—Section 302 of the HERO Act of 2015 (Public Law 114–22; 129 Stat. 255) is amended—

(1) by striking subsection (c); and

(2) by redesignating subsection (d) as subsection (c).

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the committee-reported amendment be considered, the Cornyn amendment at the desk be considered and agreed to, the committee-reported amendment, as amended, be agreed to, the bill, as amended, be considered read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 936) was agreed to, as follows:

(Purpose: To improve the bill)

On page 41, in the matter preceding line 1, strike the items relating to sections 22 through 26 and insert the following:

Sec. 22. Understanding the effects of severe forms of trafficking in persons.
Sec. 23. Combating trafficking in persons.
Sec. 24. Grant accountability.
Sec. 25. HERO Act improvements.

On page 41, between lines 15 and 16, insert the following:

(2) in subsection (e)(1), in the matter preceding subparagraph (A), by striking ''2019'' and inserting ''2023'';

On page 41, line 16, strike ''(2)'' and insert ''(3)''.

On page 41, line 20, strike ''(3) in'' and insert ''(4) in''.

On page 63, strike lines 1 through 16 and insert the following:

SEC. 22. UNDERSTANDING THE EFFECTS OF SEVERE FORMS OF TRAFFICKING IN PERSONS.

On page 65, strike line 1 and insert the following:

SEC. 23. COMBATING TRAFFICKING IN PERSONS.

On page 66, strike line 13 and insert the following:

SEC. 24. GRANT ACCOUNTABILITY.

On page 72, strike lines 21 through 24 and insert the following:

SEC. 25. HERO ACT IMPROVEMENTS.

(a) IN GENERAL.—Section 890A of the Homeland Security Act of 2002 (6 U.S.C. 473) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting ''Homeland Security Investigations,'' after ''Customs Enforcement,''; and

(B) by striking paragraph (2) and inserting the following:

''(2) PURPOSE.—The Center shall provide investigative assistance, training, and equipment to support domestic and international investigations of cyber-related crimes by the Department.'';

(2) in subsection (b)—

On page 73, strike lines 7 through 10 and insert the following:

(i) in subparagraph (B)—

On page 73, line 17, strike ''(iii)'' and insert ''(ii)''.

On page 73, line 19, strike ''(iv)'' and insert ''(iii)''.

On page 73, line 21, strike ''(2) in'' and insert ''(3) in''.

On page 74, line 1, strike ''(DF/DOMEX)''.

On page 74, line 13, strike ''and''.

On page 74, strike line 16 and all that follows through page 79, line 15, and insert the following:

''(e) HERO CHILD-RESCUE CORPS.—

''(1) ESTABLISHMENT.—

''(A) IN GENERAL.—There is established within the Center a Human Exploitation Rescue Operation Child-Rescue Corps Program (referred to in this section as the

'HERO Child-Rescue Corps Program'), which shall be a Department-wide program, in collaboration with the Department of Defense and the National Association to Protect Children.

''(B) PRIVATE SECTOR COLLABORATION.—As part of the HERO Child-Rescue Corps Program, the National Association to Protect Children shall provide logistical support for program participants.

''(2) PURPOSE.—The purpose of the HERO Child-Rescue Corps Program shall be to recruit, train, equip, and employ members of the Armed Forces on active duty and wounded, ill, and injured veterans to combat and prevent child exploitation, including in investigative, intelligence, analyst, inspection, and forensic positions or any other positions determined appropriate by the employing agency.

''(3) FUNCTIONS.—The HERO Child-Rescue Program shall—

''(A) provide, recruit, train, and equip participants of the Program in the areas of digital forensics, investigation, analysis, intelligence, and victim identification, as determined by the Center and the needs of the Department; and

''(B) ensure that during the internship period, participants of the Program are assigned to investigate and analyze—

''(i) child exploitation;

''(ii) child pornography;

''(iii) unidentified child victims;

''(iv) human trafficking;

''(v) traveling child sex offenders; and

''(vi) forced child labor, including the sexual exploitation of minors.

''(f) PAID INTERNSHIP AND HIRING PROGRAM.—

''(1) IN GENERAL.—The Secretary shall establish a paid internship and hiring program for the purpose of placing participants of the HERO Child-Rescue Corps Program (in this subsection referred to as 'participants') into paid internship positions, for the subsequent appointment of the participants to permanent positions, as described in the guidelines promulgated under paragraph (3).

''(2) INTERNSHIP POSITIONS.—Under the paid internship and hiring program required to be established under paragraph (1), the Secretary shall assign or detail participants to positions within United States Immigration and Customs Enforcement or any other Federal agency in accordance with the guidelines promulgated under paragraph (3).

''(3) PLACEMENT.—

''(A) IN GENERAL.—The Secretary shall promulgate guidelines for assigning or detailing participants to positions within United States Immigration and Customs Enforcement and other Federal agencies, which shall include requirements for internship duties and agreements regarding the subsequent appointment of the participants to permanent positions.

''(B) PREFERENCE.—The Secretary shall give a preference to Homeland Security Investigations in assignments or details under the guidelines promulgated under subparagraph (A).

''(4) TERM OF INTERNSHIP.—An appointment to an internship position under this subsection shall be for a term not to exceed 12 months.

''(5) RATE AND TERM OF PAY.—After completion of initial group training and upon beginning work at an assigned office, a participant appointed to an internship position under this subsection who is not receiving monthly basic pay as a member of the Armed Forces on active duty shall receive compensation at a rate that is—

''(A) not less than the minimum rate of basic pay payable for a position at level GS–5 of the General Schedule; and

''(B) not more than the maximum rate of basic pay payable for a position at level GS–7 of the General Schedule.

''(6) ELIGIBILITY.—In establishing the paid internship and hiring program required under paragraph (1), the Secretary shall ensure that the eligibility requirements for participation in the internship program are the same as the eligibility requirements for participation in the HERO Child-Rescue Corps Program.

''(7) HERO CORPS HIRING.—The Secretary shall establish within Homeland Security Investigations positions, which shall be in addition to any positions in existence on the date of enactment of this subsection, for the hiring and permanent employment of graduates of the paid internship program required to be established under paragraph (1).''; and

(3) in subsection (g), as so redesignated—

(A) by striking ''There are authorized'' and inserting the following:

''(1) IN GENERAL.—There are authorized''; and

(B) by adding at the end the following:

''(2) ALLOCATION.—Of the amount made available pursuant to paragraph (1) in each of fiscal years 2018 through 2022, not more than $10,000,000 shall be used to carry out subsection (e) and not less than $2,000,000 shall be used to carry out subsection (f).''.

The committee-reported amendment in the nature of a substitute, as amended, was agreed to.

The bill (S. 1311), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1311

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 ''Abolish Human Trafficking Act of 2017''.

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

Sec. 1. Short title; table of contents.
Sec. 2. Preserving Domestic Trafficking Victims' Fund.
Sec. 3. Mandatory restitution for victims of commercial sexual exploitation.
Sec. 4. Victim-witness assistance in sexual exploitation cases.
Sec. 5. Victim protection training for the Department of Homeland Security.
Sec. 6. Implementing a victim-centered approach to human trafficking.
Sec. 7. Direct services for child victims of human trafficking.
Sec. 8. Holistic training for Federal law enforcement officers and prosecutors.
Sec. 9. Best practices in delivering justice for victims of trafficking.
Sec. 10. Improving the national strategy to combat human trafficking.
Sec. 11. Specialized human trafficking training and technical assistance for service providers.
Sec. 12. Enhanced penalties for human trafficking, child exploitation, and repeat offenders.
Sec. 13. Targeting organized human trafficking perpetrators.
Sec. 14. Investigating complex human trafficking networks.
Sec. 15. Combating sex tourism.
Sec. 16. Human Trafficking Justice Coordinators.
Sec. 17. Interagency Task Force to Monitor and Combat Human Trafficking.
Sec. 18. Additional reporting on crime.
Sec. 19. Making the Presidential Survivor Council permanent.
Sec. 20. Strengthening the national human trafficking hotline.
Sec. 21. Ending Government partnerships with the commercial sex industry.
Sec. 22. Understanding the effects of severe forms of trafficking in persons.
Sec. 23. Combating trafficking in persons.
Sec. 24. Grant accountability.
Sec. 25. HERO Act improvements.

SEC. 2. PRESERVING DOMESTIC TRAFFICKING VICTIMS' FUND.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Domestic Trafficking Victims' Fund established under section 3014 of title 18, United States Code—

(1) is intended to supplement, and not supplant, any other funding for domestic trafficking victims; and

(2) has achieved the objective described in paragraph (1) since the establishment of the Fund.

(b) ENSURING FULL FUNDING.—Section 3014 of title 18, United States Code, is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by striking ''September 30, 2019'' and inserting ''September 30, 2023'';

(2) in subsection (e)(1), in the matter preceding subparagraph (A), by striking ''2019'' and inserting ''2023'';

(3) in subsection (f), by inserting '', including the mandatory imposition of civil remedies for satisfaction of an unpaid fine as authorized under section 3613, where appropriate'' after ''criminal cases''; and

(4) in subsection (h)(3), by inserting ''and child victims of a severe form of trafficking (as defined in section 103 of the Victims of Trafficking and Violence Protection Act of 2000 (22 U.S.C. 7102))'' after ''child pornography victims''.

SEC. 3. MANDATORY RESTITUTION FOR VICTIMS OF COMMERCIAL SEXUAL EXPLOITATION.

(a) AMENDMENT.—Chapter 117 of title 18, United States Code, is amended by adding at the end the following:

''§ 2429. Mandatory restitution

''(a) Notwithstanding section 3663 or 3663A, and in addition to any other civil or criminal penalty authorized by law, the court shall order restitution for any offense under this chapter.

''(b)(1) The order of restitution under this section shall direct the defendant to pay the victim (through the appropriate court mechanism) the full amount of the victim's losses, as determined by the court under paragraph (3), and shall additionally require the defendant to pay the greater of the gross income or value to the defendant of the victim's services, if the services constitute commercial sex acts as defined under section 1591.

''(2) An order of restitution under this section shall be issued and enforced in accordance with section 3664 in the same manner as an order under section 3663A.

''(3) As used in this subsection, the term 'full amount of the victim's losses' has the same meaning as provided in section 2259(b)(3).

''(c) The forfeiture of property under this section shall be governed by the provisions of section 413 (other than subsection (d) of such section) of the Controlled Substances Act (21 U.S.C. 853).

''(d) As used in this section, the term 'victim' means the individual harmed as a result of a crime under this chapter, including, in the case of a victim who is under 18 years of age, incompetent, incapacitated, or deceased, the legal guardian of the victim or a representative of the victim's estate, or another family member, or any other person

appointed as suitable by the court, but in no event shall the defendant be named such representative or guardian.''.

(b) TABLE OF SECTIONS.—The table of sections for chapter 117 of title 18, United States Code, is amended by inserting after the item relating to section 2428 the following:

''2429. Mandatory restitution.''.

SEC. 4. VICTIM-WITNESS ASSISTANCE IN SEXUAL EXPLOITATION CASES.

(a) AVAILABILITY OF DOJ APPROPRIATIONS.—Section 524(c)(1)(B) of title 28, United States Code, is amended by inserting '', chapter 110 of title 18'' after ''chapter 77 of title 18''.

(b) AMENDMENT TO TITLE 31.—Section 9705(a)(2)(B)(v) of title 31, United States Code, is amended by inserting '', chapter 109A of title 18 (relating to sexual abuse), chapter 110 of title 18 (relating to child sexual exploitation), or chapter 117 of title 18 (relating to transportation for illegal sexual activity and related crimes)'' after ''(relating to human trafficking)''.

SEC. 5. VICTIM PROTECTION TRAINING FOR THE DEPARTMENT OF HOMELAND SECURITY.

(a) IN GENERAL.—Title IX of the Justice for Victims of Trafficking Act of 2015 (6 U.S.C. 641 et seq.) is amended by adding at the end the following:

''SEC. 906. VICTIM PROTECTION TRAINING FOR THE DEPARTMENT OF HOMELAND SECURITY.

''(a) DIRECTIVE TO DHS LAW ENFORCEMENT OFFICIALS AND TASK FORCES.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Secretary shall issue a directive to—

''(A) all Federal law enforcement officers and relevant personnel employed by the Department who may be involved in the investigation of human trafficking offenses; and

''(B) members of all task forces led by the Department that participate in the investigation of human trafficking offenses.

''(2) REQUIRED INSTRUCTIONS.—The directive required to be issued under paragraph (1) shall include instructions on—

''(A) the investigation of individuals who patronize or solicit human trafficking victims as being engaged in severe trafficking in persons and how such individuals should be investigated for their roles in severe trafficking in persons; and

''(B) how victims of sex or labor trafficking often engage in criminal acts as a direct result of severe trafficking in persons and such individuals are victims of a crime and affirmative measures should be taken to avoid arresting, charging, or prosecuting such individuals for any offense that is the direct result of their victimization.

''(b) VICTIM SCREENING PROTOCOL.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Secretary shall issue a screening protocol for use during all anti-trafficking law enforcement operations in which the Department is involved.

''(2) REQUIREMENTS.—The protocol required to be issued under paragraph (1) shall—

''(A) require the individual screening of all adults and children who are suspected of engaging in commercial sex acts, child labor that is a violation of law, or work in violation of labor standards to determine whether each individual screened is a victim of human trafficking;

''(B) require affirmative measures to avoid arresting, charging, or prosecuting human trafficking victims for any offense that is the direct result of their victimization;

''(C) be developed in consultation with relevant interagency partners and nongovernmental organizations that specialize in the prevention of human trafficking or in the identification and support of victims of human trafficking and survivors of human trafficking; and

''(D) include—

''(i) procedures and practices to ensure that the screening process minimizes trauma or revictimization of the person being screened; and

''(ii) guidelines on assisting victims of human trafficking in identifying and receiving restorative services.

''(c) MANDATORY TRAINING.—The training described in sections 902 and 904 shall include training necessary to implement—

''(1) the directive required under subsection (a); and

''(2) the protocol required under subsection (b).''.

(b) TABLE OF CONTENTS AMENDMENT.—The table of contents in section 1(b) of the Justice for Victims of Trafficking Act of 2015 (Public Law 114–22; 129 Stat. 227) is amended by inserting after the item relating to section 905 the following:

''Sec. 906. Victim protection training for the Department of Homeland Security.''.

SEC. 6. IMPLEMENTING A VICTIM-CENTERED APPROACH TO HUMAN TRAFFICKING.

Section 107(b)(2) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(b)(2)) is amended—

(1) in subparagraph (B)(ii); by striking the period at the end and inserting ''; and''; and

(2) by adding at the end the following:

''(D) PRIORITY.—In selecting recipients of grants under this paragraph that are only available for law enforcement operations or task forces, the Attorney General may give priority to any applicant that files an attestation with the Attorney General stating that—

''(i) the grant funds—

''(I) will be used to assist in the prevention of severe forms of trafficking in persons in accordance with Federal law;

''(II) will be used to strengthen efforts to investigate and prosecute those who knowingly benefit financially from participation in a venture that has engaged in any act of human trafficking;

''(III) will be used to take affirmative measures to avoid arresting, charging, or prosecuting victims of human trafficking for any offense that is the direct result of their victimization; and

''(IV) will not be used to require a victim of human trafficking to collaborate with law enforcement officers as a condition of access to any shelter or restorative services; and

''(ii) the applicant will provide dedicated resources for anti-human trafficking law enforcement for a period that is longer than the duration of the grant received under this paragraph.''.

SEC. 7. DIRECT SERVICES FOR CHILD VICTIMS OF HUMAN TRAFFICKING.

Section 214(b) of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13002(b)) is amended—

(1) in the heading by inserting ''CHILD VICTIMS OF A SEVERE FORM OF TRAFFICKING IN PERSONS AND'' before ''VICTIMS OF CHILD PORNOGRAPHY''; and

(2) by inserting ''victims of a severe form of trafficking (as defined in section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102(9)(A))) who were under the age of 18 at the time of the offense and'' before ''victims of child pornography''.

SEC. 8. HOLISTIC TRAINING FOR FEDERAL LAW ENFORCEMENT OFFICERS AND PROSECUTORS.

All training required under the Combat Human Trafficking Act of 2015 (42 U.S.C. 14044g) and section 105(c)(4) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(c)(4)) shall—

(1) emphasize that an individual who knowingly solicits or patronizes a commercial sex act from a person who was a minor (consistent with section 1591(c) of title 18, United States Code) or was subject to force, fraud, or coercion is guilty of an offense under chapter 77 of title 18, United States Code, and is a party to a human trafficking offense;

(2) develop specific curriculum for—

(A) under appropriate circumstances, arresting and prosecuting buyers of commercial sex, child labor that is a violation of law, or forced labor as a form of primary prevention; and

(B) investigating and prosecuting individuals who knowingly benefit financially from participation in a venture that has engaged in any act of human trafficking; and

(3) specify that any comprehensive approach to eliminating human trafficking shall include a demand reduction component.

SEC. 9. BEST PRACTICES IN DELIVERING JUSTICE FOR VICTIMS OF TRAFFICKING.

Not later than 180 days after the date of enactment of this Act, the Attorney General shall issue guidance to all offices and components of the Department of Justice—

(1) emphasizing that an individual who knowingly solicits or patronizes a commercial sex act from a person who was a minor (consistent with section 1591(c) of title 18, United States Code) or was subject to force, fraud, or coercion is guilty of an offense under chapter 77 of title 18, United States Code, and is a party to a severe form of trafficking in persons, as that term is defined in section 103(9) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102(9));

(2) recommending and implementing best practices for the collection of special assessments under section 3014 of title 18, United States Code, as added by section 101 of the Justice for Victims of Trafficking Act of 2015 (Public Law 114–22; 129 Stat. 228), including a directive that civil liens are an authorized collection method and remedy under section 3613 of title 18, United States Code; and

(3) clarifying that commercial sexual exploitation is a form of gender-based violence.

SEC. 10. IMPROVING THE NATIONAL STRATEGY TO COMBAT HUMAN TRAFFICKING.

Section 606(b) of the Justice for Victims of Trafficking Act of 2015 (42 U.S.C. 14044h(b)) is amended by adding at the end the following:

''(6) A national strategy to prevent human trafficking and reduce demand for human trafficking victims.''.

SEC. 11. SPECIALIZED HUMAN TRAFFICKING TRAINING AND TECHNICAL ASSISTANCE FOR SERVICE PROVIDERS.

(a) IN GENERAL.—Section 111 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14044f) is amended—

(1) in the heading, by striking ''**LAW ENFORCEMENT TRAINING PROGRAMS**'' and inserting ''**SPECIALIZED HUMAN TRAFFICKING TRAINING AND TECHNICAL ASSISTANCE FOR SERVICE PROVIDERS**'';

(2) in subsection (a)(2), by striking ''means a State or a local government.'' and inserting the following: ''means—

''(A) a State or unit of local government;

''(B) a federally recognized Indian tribal government, as determined by the Secretary of the Interior;

''(C) a victim service provider;

''(D) a nonprofit or for-profit organization (including a tribal nonprofit or for-profit organization);

''(E) a national organization; or

''(F) an institution of higher education (including tribal institutions of higher education).'';

(3) by striking subsection (b) and inserting the following:

''(b) GRANTS AUTHORIZED.—The Attorney General may award grants to eligible entities to—

''(1) provide training to identify and protect victims of trafficking;

''(2) improve the quality and quantity of services offered to trafficking survivors; and

''(3) improve victim service providers' partnerships with Federal, State, tribal, and local law enforcement agencies and other relevant entities.''; and

(4) in subsection (c)—

(A) in paragraph (2), by striking ''or'' at the end;

(B) in paragraph (3), by striking the period at the end and inserting a semicolon; and

(C) by inserting after paragraph (3) the following:

''(4) provide technical assistance on the range of services available to victim service providers who serve trafficking victims;

''(5) develop and distribute materials, including materials identifying best practices in accordance with Federal law and policies, to support victim service providers working with human trafficking victims;

''(6) identify and disseminate other publicly available materials in accordance with Federal law to help build capacity of service providers;

''(7) provide training at relevant conferences, through webinars, or through other mechanisms in accordance with Federal law; or

''(8) assist service providers in developing additional resources such as partnerships with Federal, State, tribal, and local law enforcement agencies and other relevant entities in order to access a range of available services in accordance with Federal law.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 2 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162; 119 Stat. 2960) is amended by striking the item relating to section 111 and inserting the following:

''Sec. 111. Grants for specialized human trafficking training and technical assistance for service providers.''.

SEC. 12. ENHANCED PENALTIES FOR HUMAN TRAFFICKING, CHILD EXPLOITATION, AND REPEAT OFFENDERS.

Part I of title 18, United States Code, is amended—

(1) in chapter 77—

(A) in section 1583(a), in the flush text following paragraph (3), by striking ''not more than 20 years'' and inserting ''not more than 30 years'';

(B) in section 1587, by striking ''four years'' and inserting ''10 years''; and

(C) in section 1591(d), by striking ''20 years'' and inserting ''25 years''; and

(2) in section 2426—

(A) in subsection (a), by striking ''twice'' and inserting ''3 times''; and

(B) in subsection (b)(1)(B) by striking ''paragraph (1)'' and inserting ''subparagraph (A)''.

SEC. 13. TARGETING ORGANIZED HUMAN TRAFFICKING PERPETRATORS.

Section 521(c) of title 18, United States Code, is amended—

(1) in paragraph (2), by striking ''and'' at the end;

(2) by redesignating paragraph (3) as paragraph (4);

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

''(3) a Federal offense involving human trafficking, sexual abuse, sexual exploitation, or transportation for prostitution or any illegal sexual activity; and''; and

(4) in paragraph (4), as so redesignated, by striking ''(1) or (2)'' and inserting ''(1), (2), or (3)''.

SEC. 14. INVESTIGATING COMPLEX HUMAN TRAFFICKING NETWORKS.

Section 2516 of title 18, United States Code, is amended—

(1) in subsection (1)(c)—

(A) by inserting ''section 1582 (vessels for slave trade), section 1583 (enticement into slavery),'' after ''section 1581 (peonage),''; and

(B) by inserting ''section 1585 (seizure, detention, transportation or sale of slaves), section 1586 (service on vessels in slave trade), section 1587 (possession of slaves aboard vessel), section 1588 (transportation of slaves from United States),'' after ''section 1584 (involuntary servitude),''; and

(2) in subsection (2)—

(A) by striking ''kidnapping human'' and inserting ''kidnapping, human''; and

(B) by striking ''production, ,'' and inserting ''production, prostitution,''.

SEC. 15. COMBATING SEX TOURISM.

Section 2423 of title 18, United States Code, is amended—

(1) in subsection (b), by striking ''for the purpose'' and inserting ''with a motivating purpose''; and

(2) in subsection (d), by striking ''for the purpose of engaging'' and inserting ''with a motivating purpose of engaging''.

SEC. 16. HUMAN TRAFFICKING JUSTICE COORDINATORS.

Section 606 of the Justice for Victims of Trafficking Act of 2015 (42 U.S.C. 14044h) is amended—

(1) in subsection (b)(1)—

(A) by striking subparagraph (B); and

(B) by redesignating subparagraphs (C) and (D) as subparagraphs (B) and (C), respectively; and

(2) by adding at the end the following:

''(c) HUMAN TRAFFICKING JUSTICE COORDINATORS.—The Attorney General shall designate in each Federal judicial district not less than 1 assistant United States attorney to serve as the Human Trafficking Coordinator for the district who, in addition to any other responsibilities, works with a human trafficking victim-witness specialist and shall be responsible for—

''(1) implementing the National Strategy with respect to all forms of human trafficking, including labor trafficking and sex trafficking;

''(2) prosecuting, or assisting in the prosecution of, human trafficking cases;

''(3) conducting public outreach and awareness activities relating to human trafficking;

''(4) ensuring the collection of data required to be collected under clause (viii) of section 105(d)(7)(Q) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103(d)(7)(Q)), as added by section 17 of the Abolish Human Trafficking Act of 2017, is sought;

''(5) coordinating with other Federal agencies, State, tribal, and local law enforcement agencies, victim service providers, and other relevant non-governmental organizations to build partnerships on activities relating to human trafficking; and

''(6) ensuring the collection of restitution for victims is sought as required to be ordered under section 1593 of title 18, United States Code, and section 2429 of such title, as added by section 3 of the Abolish Human Trafficking Act of 2017.

''(d) DEPARTMENT OF JUSTICE COORDINATOR.—Not later than 60 days after the date of enactment of the Abolish Human Trafficking Act of 2017, the Attorney General shall designate an official who shall coordinate human trafficking efforts within the Department of Justice who, in addition to any other responsibilities, shall be responsible for—

''(1) coordinating, promoting, and supporting the work of the Department of Justice relating to human trafficking, including investigation, prosecution, training, outreach, victim support, grant-making, and policy activities;

''(2) in consultation with survivors of human trafficking, or anti-human trafficking organizations, producing and disseminating, including making publicly available when appropriate, replication guides and training materials for law enforcement officers, prosecutors, judges, emergency responders, individuals working in victim services, adult and child protective services, social services, and public safety, medical personnel, mental health personnel, financial services personnel, and any other individuals whose work may bring them in contact with human trafficking regarding how to—

''(A) identify signs of human trafficking;

''(B) conduct investigations in human trafficking cases;

''(C) address evidentiary issues and other legal issues; and

''(D) appropriately assess, respond to, and interact with victims and witnesses in human trafficking cases, including in administrative, civil, and criminal judicial proceedings; and

''(3) carrying out such other duties as the Attorney General determines necessary in connection with enhancing the understanding, prevention, and detection of, and response to, human trafficking.''.

SEC. 17. INTERAGENCY TASK FORCE TO MONITOR AND COMBAT HUMAN TRAFFICKING.

Section 105(d)(7)(Q) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103(d)(7)(Q)) is amended—

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

(2) by adding at the end the following:

''(viii) the number of convictions obtained under chapter 77 of title 18, United States Code, aggregated separately by the form of offense committed with respect to the victim, including recruiting, enticing, harboring, transporting, providing, obtaining, advertising, maintaining, patronizing, or soliciting a human trafficking victim; and''.

SEC. 18. ADDITIONAL REPORTING ON CRIME.

Section 237(b) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (28 U.S.C. 534 note) is amended—

(1) in paragraph (2), by striking ''and'' at the end;

(2) in paragraph (3), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

''(4) incidents of assisting or promoting prostitution, child labor that is a violation of law, or forced labor of an individual under the age of 18 as described in paragraph (1); and

''(5) incidents of purchasing or soliciting commercial sex acts, child labor that is a violation of law, or forced labor with an individual under the age of 18 as described in paragraph (2).''.

SEC. 19. MAKING THE PRESIDENTIAL SURVIVOR COUNCIL PERMANENT.

Section 115 of the Justice for Victims of Trafficking Act of 2015 (Public Law 114–22; 129 Stat. 243) is amended by striking subsection (h).

SEC. 20. STRENGTHENING THE NATIONAL HUMAN TRAFFICKING HOTLINE.

(a) REPORTING REQUIREMENT.—Section 105(d)(3) of the Victims of Trafficking and Violence Protection Act of 2000 (22 U.S.C. 7103(d)(3)) is amended—

(1) by inserting ''and providing an annual report on the case referrals received from the national human trafficking hotline by Federal departments and agencies'' after ''international trafficking''; and

(2) by inserting ''and reporting requirements'' after ''Any data collection procedures''.

(b) HOTLINE INFORMATION.—Section 107(b)(1)(B)(ii) of such Act (22 U.S.C. 7105(b)(1)(B)(ii)) is amended by adding at the end the following: ''The number of the national human trafficking hotline described in this clause shall be posted in a visible place in all Federal buildings.''.

SEC. 21. ENDING GOVERNMENT PARTNERSHIPS WITH THE COMMERCIAL SEX INDUSTRY.

No Federal funds or resources may be used for the operation of, participation in, or partnership with any program that involves the provision of funding or resources to an organization that—

(1) has the primary purpose of providing adult entertainment; and

(2) derives profits from the commercial sex trade.

SEC. 22. UNDERSTANDING THE EFFECTS OF SEVERE FORMS OF TRAFFICKING IN PERSONS.

(a) IN GENERAL.—Title VI of the Justice for Victims of Trafficking Act of 2015 (Public Law 114–22; 129 Stat. 258) is amended by adding at the end the following:

''SEC. 607. UNDERSTANDING THE PHYSICAL AND PSYCHOLOGICAL EFFECTS OF SEVERE FORMS OF TRAFFICKING IN PERSONS.

''(a) IN GENERAL.—The National Institute of Justice and the Centers for Disease Control and Prevention shall jointly conduct a study on the short-term and long-term physical and psychological effects of serious harm (as that term is defined in section 1589(c)(2) and section 1591(e)(4) of title 18, United States Code, as amended by the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (Public Law 110–457; 122 Stat. 5044)) in order to determine the most effective types of services for individuals who are identified as victims of these crimes, including victims in cases that were not investigated or prosecuted by any law enforcement agency, and how new or current treatment and programming options should be tailored to address the unique needs and barriers associated with these victims.

''(b) REPORT.—Not later than 3 years after the date of enactment of the Abolish Human Trafficking Act of 2017, the National Institute of Justice and the Centers for Disease Control and Prevention shall make available to the public the results, including any associated recommendations, of the study conducted under subsection (a).''.

(b) TABLE OF CONTENTS AMENDMENT.—The table of contents in section 1(b) of the Justice for Victims of Trafficking Act of 2015 (Public Law 114–22; 129 Stat. 227) is amended by inserting after the item relating to section 606 the following:

''Sec. 607. Understanding the physical and psychological effects of severe forms of trafficking in persons.''.

SEC. 23. COMBATING TRAFFICKING IN PERSONS.

(a) TRAFFICKING VICTIMS PREVENTION ACT OF 2000 PROGRAMS.—Section 113 of the Trafficking Victims Prevention Act of 2000 (22 U.S.C. 7110) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking ''2014 through 2017'' and inserting ''2018 through 2022.''; and

(B) in paragraph (2), by striking ''2014 through 2017'' and inserting ''2018 through 2022''; and

(2) in subsection (i), by striking ''2014 through 2017'' and inserting ''2018 through 2022''.

(b) REINSTATEMENT AND REAUTHORIZATION OF GRANTS TO COMBAT CHILD SEX TRAFFICKING.—

(1) REINSTATEMENT OF EXPIRED PROVISION.—

(A) IN GENERAL.—Section 202 of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 14044a) is amended to read as such section read on March 6, 2017.

(B) CONFORMING AMENDMENT.—Section 1241(b) of the Violence Against Women Reauthorization Act of 2013 (42 U.S.C. 14044a note) is repealed.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect as though enacted on March 6, 2017.

(3) REAUTHORIZATION.—Section 202(i) of the Trafficking Victims Protection Reauthorization Act of 2005, as amended by paragraph (1), is amended to read as follows:

''(i) FUNDING.—For each of the fiscal years 2018 through 2022, the Attorney General is authorized to allocate up to $8,000,000 of the amounts appropriated pursuant to section 113(d)(1) of the Trafficking Victims Prevention Act of 2000 (22 U.S.C. 7110(d)(1)) to carry out this section.''.

SEC. 24. GRANT ACCOUNTABILITY.

(a) DEFINITIONS.—In this section—

(1) the term ''covered agency'' means an agency authorized to award grants under this Act;

(2) the term ''covered grant'' means a grant authorized to be awarded under this Act; and

(3) the term ''covered official'' means the head of a covered agency.

(b) ACCOUNTABILITY.—All covered grants shall be subject to the following accountability provisions:

(1) AUDIT REQUIREMENT.—

(A) DEFINITION.—In this paragraph, the term ''unresolved audit finding'' means a finding in the final audit report of the Inspector General of a covered agency that the audited grantee has utilized funds under a covered grant for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 12 months from the date when the final audit report is issued.

(B) AUDITS.—Beginning in the first fiscal year beginning after the date of enactment of this Act, and in each fiscal year thereafter, the Inspector General of a covered agency shall conduct audits of recipients of covered grants to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

(C) MANDATORY EXCLUSION.—A recipient of funds under a covered grant that is found to have an unresolved audit finding shall not be eligible to receive funds under a covered grant during the first 2 fiscal years beginning after the end of the 12-month period described in subparagraph (A).

(D) PRIORITY.—In awarding covered grants, a covered official shall give priority to eligible applicants that did not have an unresolved audit finding during the 3 fiscal years before submitting an application for the covered grant.

(E) REIMBURSEMENT.—If an entity is awarded funds under a covered grant during the 2-fiscal-year period during which the entity is barred from receiving covered grants under subparagraph (C), a covered official shall—

(i) deposit an amount equal to the amount of the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

(ii) seek to recoup the costs of the repayment to the fund from the recipient of the covered grant that was erroneously awarded grant funds.

(2) NONPROFIT ORGANIZATION REQUIREMENTS.—

(A) DEFINITION.—For purposes of this paragraph and each covered grant program, the term ''nonprofit organization'' means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

(B) PROHIBITION.—A covered grant may not be awarded to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

(C) DISCLOSURE.—Each nonprofit organization that is awarded a covered grant and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees, and key employees, shall disclose to the applicable covered official, in the application for the covered grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, a covered official shall make the information disclosed under this subparagraph available for public inspection.

(3) CONFERENCE EXPENDITURES.—

(A) LIMITATION.—No amounts made available to a covered agency to carry out a covered grant program may be used by a covered official, or by any individual or entity awarded discretionary funds through a cooperative agreement under a covered grant program, to host or support any expenditure for conferences that uses more than $20,000 in funds made available by the covered agency, unless the covered official provides prior written authorization that the funds may be expended to host the conference.

(B) WRITTEN APPROVAL.—Written approval under subparagraph (A) shall include a written estimate of all costs associated with the conference, including the cost of all food, beverages, audio-visual equipment, honoraria for speakers, and entertainment.

(C) REPORT.—

(i) DEPARTMENT OF JUSTICE.—The Deputy Attorney General shall submit an annual report to the appropriate committees of Congress on all conference expenditures approved under this paragraph.

(ii) DEPARTMENT OF HEALTH AND HUMAN SERVICES.—The Deputy Secretary of Health and Human Services shall submit to the appropriate committees of Congress an annual report on all conference expenditures approved under this paragraph.

(iii) DEPARTMENT OF HOMELAND SECURITY.—The Deputy Secretary of Homeland Security shall submit to the appropriate committees of Congress an annual report on all conference expenditures approved under this paragraph.

(4) ANNUAL CERTIFICATION.—Beginning in the first fiscal year beginning after the date of enactment of this Act, each covered official shall submit to the appropriate committees of Congress an annual certification—

(A) indicating whether—

(i) all audits issued by the Office of the Inspector General of the applicable covered agency under paragraph (1) have been completed and reviewed by the appropriate official;

(ii) all mandatory exclusions required under paragraph (1)(C) have been issued; and

(iii) all reimbursements required under paragraph (1)(E) have been made; and

(B) that includes a list of any recipients of a covered grant excluded under paragraph (1) from the previous year.

(c) PREVENTING DUPLICATIVE GRANTS.—

(1) IN GENERAL.—Before a covered official awards a covered grant, the covered official shall compare potential awards under the covered grant program with other covered grants awarded to determine if duplicate grant awards are awarded for the same purpose.

(2) REPORT.—If a covered official awards duplicate covered grants to the same applicant for the same purpose the covered official shall submit to the appropriate committees of Congress a report that includes—

(A) a list of all duplicate covered grants awarded, including the total dollar amount of any duplicate covered grants awarded; and

(B) the reason the covered official awarded the duplicate covered grants.

SEC. 25. HERO ACT IMPROVEMENTS.

(a) IN GENERAL.—Section 890A of the Homeland Security Act of 2002 (6 U.S.C. 473) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting ''Homeland Security Investigations,'' after ''Customs Enforcement,''; and

(B) by striking paragraph (2) and inserting the following:

''(2) PURPOSE.—The Center shall provide investigative assistance, training, and equipment to support domestic and international investigations of cyber-related crimes by the Department.'';

(2) in subsection (b)—

(A) in paragraph (2)(C), by inserting after ''personnel'' the following: '', which shall include participating in training for Homeland Security Investigations personnel conducted by Internet Crimes Against Children Task Forces''; and

(B) in paragraph (3)—

(i) in subparagraph (B)—

(I) in the matter preceding clause (i), by inserting ''in child exploitation investigations'' after ''Enforcement''; and

(II) in clause (i), by inserting ''child'' before ''victims'';

(ii) in subparagraph (C), by inserting ''child exploitation'' after ''number of''; and

(iii) in subparagraph (D), by inserting ''child exploitation'' after ''number of''; and

(3) in subsection (c)(2)—

(A) in subparagraph (A), in the matter preceding clause (i), by inserting ''and administer the Digital Forensics and Document and Media Exploitation program'' after ''forensics'';

(B) in subparagraph (C), by inserting ''and emerging technologies'' after ''forensics''; and

(C) in subparagraph (D), by striking ''and the National Association to Protect Children'' and inserting '', the National Association to Protect Children, and other governmental entities''.

(b) HERO CHILD-RESCUE CORPS.—Section 890A of the Homeland Security Act of 2002 (6 U.S.C. 473) is amended—

(1) by redesignating subsection (e) as subsection (g);

(2) by inserting after subsection (d) the following:

''(e) HERO CHILD-RESCUE CORPS.—

''(1) ESTABLISHMENT.—

''(A) IN GENERAL.—There is established within the Center a Human Exploitation Rescue Operation Child-Rescue Corps Program (referred to in this section as the 'HERO Child-Rescue Corps Program'), which shall be a Department-wide program, in collaboration with the Department of Defense and the National Association to Protect Children.

''(B) PRIVATE SECTOR COLLABORATION.—As part of the HERO Child-Rescue Corps Program, the National Association to Protect Children shall provide logistical support for program participants.

''(2) PURPOSE.—The purpose of the HERO Child-Rescue Corps Program shall be to recruit, train, equip, and employ members of the Armed Forces on active duty and wounded, ill, and injured veterans to combat and prevent child exploitation, including in investigative, intelligence, analyst, inspection, and forensic positions or any other positions determined appropriate by the employing agency.

''(3) FUNCTIONS.—The HERO Child-Rescue Program shall—

''(A) provide, recruit, train, and equip participants of the Program in the areas of digital forensics, investigation, analysis, intelligence, and victim identification, as determined by the Center and the needs of the Department; and

''(B) ensure that during the internship period, participants of the Program are assigned to investigate and analyze—

''(i) child exploitation;

''(ii) child pornography;

''(iii) unidentified child victims;

''(iv) human trafficking;

''(v) traveling child sex offenders; and

''(vi) forced child labor, including the sexual exploitation of minors.

''(f) PAID INTERNSHIP AND HIRING PROGRAM.—

''(1) IN GENERAL.—The Secretary shall establish a paid internship and hiring program for the purpose of placing participants of the HERO Child-Rescue Corps Program (in this subsection referred to as 'participants') into paid internship positions, for the subsequent appointment of the participants to permanent positions, as described in the guidelines promulgated under paragraph (3).

''(2) INTERNSHIP POSITIONS.—Under the paid internship and hiring program required to be established under paragraph (1), the Secretary shall assign or detail participants to positions within United States Immigration and Customs Enforcement or any other Federal agency in accordance with the guidelines promulgated under paragraph (3).

''(3) PLACEMENT.—

''(A) IN GENERAL.—The Secretary shall promulgate guidelines for assigning or detailing participants to positions within United States Immigration and Customs Enforcement and other Federal agencies, which shall include requirements for internship duties and agreements regarding the subsequent appointment of the participants to permanent positions.

''(B) PREFERENCE.—The Secretary shall give a preference to Homeland Security Investigations in assignments or details under the guidelines promulgated under subparagraph (A).

''(4) TERM OF INTERNSHIP.—An appointment to an internship position under this subsection shall be for a term not to exceed 12 months.

''(5) RATE AND TERM OF PAY.—After completion of initial group training and upon beginning work at an assigned office, a participant appointed to an internship position under this subsection who is not receiving monthly basic pay as a member of the Armed Forces on active duty shall receive compensation at a rate that is—

''(A) not less than the minimum rate of basic pay payable for a position at level GS–5 of the General Schedule; and

''(B) not more than the maximum rate of basic pay payable for a position at level GS–7 of the General Schedule.

''(6) ELIGIBILITY.—In establishing the paid internship and hiring program required under paragraph (1), the Secretary shall ensure that the eligibility requirements for participation in the internship program are the same as the eligibility requirements for participation in the HERO Child-Rescue Corps Program.

''(7) HERO CORPS HIRING.—The Secretary shall establish within Homeland Security Investigations positions, which shall be in addition to any positions in existence on the date of enactment of this subsection, for the hiring and permanent employment of graduates of the paid internship program required to be established under paragraph (1).''; and

(3) in subsection (g), as so redesignated—

(A) by striking ''There are authorized'' and inserting the following:

''(1) IN GENERAL.—There are authorized''; and

(B) by adding at the end the following:

''(2) ALLOCATION.—Of the amount made available pursuant to paragraph (1) in each of fiscal years 2018 through 2022, not more than $10,000,000 shall be used to carry out subsection (e) and not less than $2,000,000 shall be used to carry out subsection (f).''.

(c) TECHNICAL AND CONFORMING AMENDMENT.—Section 302 of the HERO Act of 2015 (Public Law 114–22; 129 Stat. 255) is amended—

(1) by striking subsection (c); and

(2) by redesignating subsection (d) as subsection (c).

TRAFFICKING VICTIMS PROTECTION ACT OF 2017

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 189, S. 1312.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 1312) to prioritize the fight against human trafficking in the United States.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Trafficking Victims Protection Act of 2017''.

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

Sec. 1. Short title; table of contents.
Sec. 2. Findings; sense of Congress.
TITLE I—FREDERICK DOUGLASS TRAFFICKING PREVENTION ACT OF 2017
Sec. 101. Training of school resource officers to recognize and respond to signs of human trafficking.
Sec. 102. Training for school personnel.
TITLE II—JUSTICE FOR TRAFFICKING VICTIMS
Sec. 201. Injunctive relief.
Sec. 202. Improving support for missing and exploited children.
Sec. 203. Forensic and investigative assistance.
TITLE III—SERVICES FOR TRAFFICKING SURVIVORS
Sec. 301. Extension of anti-trafficking grant programs.
Sec. 302. Establishment of Office of Victim Assistance.
Sec. 303. Implementing a victim-centered approach to human trafficking.
Sec. 304. Improving victim screening.
Sec. 305. Improving victim services.
TITLE IV—IMPROVED DATA COLLECTION AND INTERAGENCY COORDINATION
Sec. 401. Promoting data collection on human trafficking.

Sec. 402. Crime reporting.
Sec. 403. Human trafficking assessment.
TITLE V—TRAINING AND TECHNICAL ASSISTANCE
Sec. 501. Encouraging a victim-centered approach to training of Federal law enforcement personnel.
Sec. 502. Victim screening training.
Sec. 503. Judicial training.
Sec. 504. Training of tribal law enforcement and prosecutorial personnel.
TITLE VI—ACCOUNTABILITY
Sec. 601. Grant accountability.
TITLE VII—PUBLIC-PRIVATE PARTNERSHIP ADVISORY COUNCIL TO END HUMAN TRAFFICKING
Sec. 701. Short title.
Sec. 702. Definitions.
Sec. 703. Public-Private Partnership Advisory Council to End Human Trafficking.
Sec. 704. Reports.
Sec. 705. Sunset.

SEC. 2. FINDINGS; SENSE OF CONGRESS.

(a) FINDINGS.—Congress finds the following:

(1) The crime of human trafficking involves the exploitation of adults through force, fraud, or coercion, and children for such purposes as forced labor or commercial sex.

(2) Reliable data on the prevalence of human trafficking in the United States is not available, but cases have been reported in all 50 States, the territories of the United States, and the District of Columbia.

(3) Each year, thousands of individuals may be trafficked within the United States, according to recent estimates from victim advocates.

(4) More accurate and comprehensive data on the prevalence of human trafficking is needed to properly combat this form of modern slavery in the United States.

(5) Victims of human trafficking can include men, women, and children who are diverse with respect to race, ethnicity, and nationality, among other factors.

(6) Since the enactment of the Trafficking Victims Protection Act of 2000 (Public Law 106–386; 114 Stat. 1464), human traffickers have launched increasingly sophisticated schemes to increase the scope of their activities and the number of their victims.

(b) SENSE OF CONGRESS.—It is the sense of Congress that Congress supports additional efforts to raise awareness of and oppose human trafficking.

TITLE I—FREDERICK DOUGLASS TRAFFICKING PREVENTION ACT OF 2017

SEC. 101. TRAINING OF SCHOOL RESOURCE OFFICERS TO RECOGNIZE AND RESPOND TO SIGNS OF HUMAN TRAFFICKING.

Section 1701(b)(12) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd(b)(12)) is amended by inserting '', including the training of school resource officers in the prevention of human trafficking offenses'' before the semicolon at the end.

SEC. 102. TRAINING FOR SCHOOL PERSONNEL.

Section 41201(f) of the Violence Against Women Act of 1994 (42 U.S.C. 14043c(f)) is amended by striking ''2014 through 2018'' and inserting ''2019 through 2022''.

TITLE II—JUSTICE FOR TRAFFICKING VICTIMS

SEC. 201. INJUNCTIVE RELIEF.

(a) IN GENERAL.—Chapter 77 of title 18, United States Code, is amended by inserting after section 1595 the following:

''§1595A. Civil injunctions

''(a) IN GENERAL.—Whenever it shall appear that any person is engaged or is about to engage in any act that constitutes or will constitute a violation of this chapter, chapter 110, or chapter 117, or a conspiracy under section 371 to commit a violation of this chapter, chapter 110, or chapter 117, the Attorney General may bring a civil action in a district court of the United States seeking an order to enjoin such act.

''(b) ACTION BY COURT.—The court shall proceed as soon as practicable to the hearing and determination of a civil action brought under subsection (a), and may, at any time before final determination, enter such a restraining order or prohibition, or take such other action, as is warranted to prevent a continuing and substantial injury to the United States or to any person or class of persons for whose protection the civil action is brought.

''(c) PROCEDURE.—

''(1) IN GENERAL.—A proceeding under this section shall be governed by the Federal Rules of Civil Procedure, except that, if an indictment has been returned against the respondent, discovery shall be governed by the Federal Rules of Criminal Procedure.

''(2) SEALED PROCEEDINGS.—If a civil action is brought under subsection (a) before an indictment is returned against the respondent or while an indictment against the respondent is under seal—

''(A) the court shall place the civil action under seal; and

''(B) when the indictment is unsealed, the court shall unseal the civil action unless good cause exists to keep the civil action under seal.

''(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed or applied so as to abridge the exercise of rights guaranteed under the First Amendment to the Constitution of the United States.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 77 of title 18, United States Code, is amended by inserting after the item relating to section 1595 the following:

''1595A. Civil injunctions.''.

SEC. 202. IMPROVING SUPPORT FOR MISSING AND EXPLOITED CHILDREN.

(a) FINDINGS.—Section 402 of the Missing Children's Assistance Act (42 U.S.C. 5771) is amended—

(1) by amending paragraph (1) to read as follows:

''(1) each year tens of thousands of children run away, or are abducted or removed, from the control of a parent having legal custody without the consent of that parent, under circumstances which immediately place the child in grave danger;'';

(2) by striking paragraphs (4) and (5);

(3) in paragraph (6) by inserting '', including child sex trafficking and sextortion'' after ''exploitation'';

(4) in paragraph (8) by adding ''and'' at the end;

(5) by striking paragraph (9);

(6) by amending paragraph (10) to read as follows:

''(10) a key component of such programs is the National Center for Missing and Exploited Children that—

''(A) serves as a nonprofit, national resource center and clearinghouse to provide assistance to victims, families, child-serving professionals, and the general public;

''(B) works with the Department of Justice, the Federal Bureau of Investigation, the United States Marshals Service, the Department of the Treasury, the Department of State, U.S. Immigration and Customs Enforcement, the United States Secret Service, the United States Postal Inspection Service, other agencies, and nongovernmental organizations in the effort to find missing children and to prevent child victimization; and

''(C) coordinates with each of the missing children clearinghouses operated by the 50 States, the District of Columbia, Puerto Rico, and international organizations to transmit images and information regarding missing and exploited children to law enforcement agencies, nongovernmental organizations, and corporate partners across the United States and around the world instantly.''; and

(7) by redesignating paragraphs (6), (7), (8), and (10), as amended by this subsection, as paragraphs (4), (5), (6), and (7), respectively.

(b) DEFINITIONS.—Section 403 of the Missing Children's Assistance Act (42 U.S.C. 5772) is amended—

(1) by striking paragraph (1) and inserting the following:

''(1) the term 'missing child' means any individual less than 18 years of age whose whereabouts are unknown to such individual's parent;'';

(2) in paragraph (2) by striking ''and'' at the end;

(3) in paragraph (3) by striking the period at the end and inserting ''; and''; and

(4) by adding at the end the following:

''(4) the term 'parent' includes a legal guardian or other individual who may lawfully exercise parental rights with respect to the child.''.

(c) DUTIES AND FUNCTIONS OF THE ADMINISTRATOR.—Section 404 of the Missing Children's Assistance Act (42 U.S.C. 5773) is amended—

(1) in subsection (a)—

(A) in paragraph (3) by striking ''telephone line'' and inserting ''hotline''; and

(B) in paragraph (6)(E)—

(i) by striking ''telephone line'' and inserting ''hotline'';

(ii) by striking ''(b)(1)(A) and'' and inserting ''(b)(1)(A),''; and

(iii) by inserting '', and the number and types of reports to the tipline established under subsection (b)(1)(K)(i)'' before the semicolon at the end;

(2) in subsection (b)(1)—

(A) in subparagraph (A)—

(i) by striking ''telephone line'' each place it appears and inserting ''hotline''; and

(ii) by striking ''legal custodian'' and inserting ''parent'';

(B) in subparagraph (C)—

(i) in clause (i)—

(I) by striking ''restaurant'' and inserting ''food''; and

(II) by striking ''and'' at the end;

(ii) in clause (ii) by adding ''and'' at the end; and

(iii) by adding at the end the following:

''(iii) innovative and model programs, services, and legislation that benefit missing and exploited children;'';

(C) by striking subparagraphs (E), (F), and (G);

(D) by amending subparagraph (H) to read as follows:

''(H) provide technical assistance and training to families, law enforcement agencies, State and local governments, elements of the criminal justice system, nongovernmental agencies, local educational agencies, and the general public—

''(i) in the prevention, investigation, prosecution, and treatment of cases involving missing and exploited children;

''(ii) to respond to foster children missing from the State child welfare system in coordination with child welfare agencies and courts handling juvenile justice and dependency matters; and

''(iii) in the identification, location, and recovery of victims of, and children at risk for, child sex trafficking;'';

(E) by amending subparagraphs (I), (J), and (K) to read as follows:

''(I) provide assistance to families, law enforcement agencies, State and local governments, nongovernmental agencies, child-serving professionals, and other individuals involved in the location and recovery of missing and abducted children nationally and, in cooperation with the Department of State, internationally;

''(J) provide support and technical assistance to child-serving professionals involved in helping to recover missing and exploited children by searching public records databases to help in the identification, location, and recovery of such children, and help in the location and

identification of potential abductors and offenders;

''(K) provide forensic and direct on-site technical assistance and consultation to families, law enforcement agencies, child-serving professionals, and nongovernmental organizations in child abduction and exploitation cases, including facial reconstruction of skeletal remains and similar techniques to assist in the identification of unidentified deceased children;'';

(F) by striking subparagraphs (L) and (M);

(G) by amending subparagraph (N) to read as follows:

''(N) provide training, technical assistance, and information to nongovernmental organizations relating to non-compliant sex offenders and to law enforcement agencies in identifying and locating such individuals;'';

(H) by striking subparagraph (P);

(I) by amending subparagraph (Q) to read as follows:

''(Q) work with families, law enforcement agencies, electronic service providers, electronic payment service providers, technology companies, nongovernmental organizations, and others on methods to reduce the existence and distribution of online images and videos of sexually exploited children—

''(i) by operating a tipline to—

''(I) provide to individuals and electronic service providers an effective means of reporting Internet-related and other instances of child sexual exploitation in the areas of—

''(aa) possession, manufacture, and distribution of child pornography;

''(bb) online enticement of children for sexual acts;

''(cc) child sex trafficking;

''(dd) sex tourism involving children;

''(ee) extra familial child sexual molestation;

''(ff) unsolicited obscene material sent to a child;

''(gg) misleading domain names; and

''(hh) misleading words or digital images on the Internet; and

''(II) make reports received through the tipline available to the appropriate law enforcement agency for its review and potential investigation;

''(ii) by operating a child victim identification program to assist law enforcement agencies in identifying victims of child pornography and other sexual crimes to support the recovery of children from sexually exploitative situations; and

''(iii) by utilizing emerging technologies to provide additional outreach and educational materials to parents and families;'';

(J) by striking subparagraph (R);

(K) by amending subparagraphs (S) and (T) to read as follows:

''(S) develop and disseminate programs and information to families, child-serving professionals, law enforcement agencies, State and local governments, nongovernmental organizations, schools, local educational agencies, child-serving organizations, and the general public on—

''(i) the prevention of child abduction and sexual exploitation;

''(ii) Internet safety, including tips for social media and cyberbullying; and

''(iii) sexting and sextortion; and

''(T) provide technical assistance and training to local educational agencies, schools, State and local law enforcement agencies, individuals, and other nongovernmental organizations that assist with finding missing and abducted children in identifying and recovering such children;''; and

(L) by redesignating subparagraphs (H), (I), (J), (K), (N), (O), (Q), (S), (T), (U), and (V), as amended by this subsection, as subparagraphs (E) through (O), respectively.

(d) GRANTS.—Section 405 of the Missing Children's Assistance Act (42 U.S.C. 5775) is amended—

(1) in subsection (a)—

(A) in paragraph (7) by striking ''(as defined in section 403(1)(A))''; and

(B) in paragraph (8)—

(i) by striking ''legal custodians'' and inserting ''parents''; and

(ii) by striking ''custodians' '' and inserting ''parents' ''; and

(2) in subsection (b)(1)(A) by striking ''legal custodians'' and inserting ''parents''.

(e) REPORTING.—The Missing Children's Assistance Act (42 U.S.C. 5771 et seq.) is amended—

(1) by redesignating sections 407 and 408 as section 408 and 409, respectively; and

(2) by inserting after section 406 the following:

''SEC. 407. REPORTING.

''(a) REQUIRED REPORTING.—As a condition of receiving funds under section 404(b), the grant recipient shall, based solely on reports received by the grantee and not involving any data collection by the grantee other than those reports, annually provide to the Administrator and make available to the general public, as appropriate—

''(1) the number of children nationwide who are reported to the grantee as missing;

''(2) the number of children nationwide who are reported to the grantee as victims of non-family abductions;

''(3) the number of children nationwide who are reported to the grantee as victims of family abductions; and

''(4) the number of missing children recovered nationwide whose recovery was reported to the grantee.

''(b) INCIDENCE OF ATTEMPTED CHILD ABDUCTIONS.—As a condition of receiving funds under section 404(b), the grant recipient shall—

''(1) track the incidence of attempted child abductions in order to identify links and patterns;

''(2) provide such information to law enforcement agencies; and

''(3) make such information available to the general public, as appropriate.''.

SEC. 203. FORENSIC AND INVESTIGATIVE ASSISTANCE.

Section 3056(f) of title 18, United States Code, is amended—

(1) by inserting ''in conjunction with an investigation'' after ''local law enforcement agency''; and

(2) by striking ''in support of any investigation involving missing or exploited children''.

TITLE III—SERVICES FOR TRAFFICKING SURVIVORS

SEC. 301. EXTENSION OF ANTI-TRAFFICKING GRANT PROGRAMS.

(a) TRAFFICKING VICTIMS PROTECTION ACT OF 2000.—The Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 et seq.) is amended—

(1) in section 112A(b)(4) (22 U.S.C. 7109a(b)(4)), by striking ''2014 through 2017'' and inserting ''2018 through 2021'';

(2) in section 113 (22 U.S.C. 7110)—

(A) in subsection (d)—

(i) in the paragraph (1), by striking ''$11,000,000 for each of fiscal years 2014 through 2017'' and inserting ''$45,000,000 for each of fiscal years 2018 through 2021''; and

(ii) in paragraph (3), by striking ''2014 through 2017'' and inserting ''2018 through 2021''; and

(B) in subsection (e)—

(i) in paragraph (1), by striking ''2014 through 2017'' and inserting ''2018 through 2021''; and

(ii) in paragraph (2), by striking ''2014 through 2017'' and inserting ''2018 through 2021''; and

(C) in subsection (f), by striking ''2014 through 2017'' and inserting ''2018 through 2021''.

(b) ANNUAL TRAFFICKING CONFERENCE.—Section 201(c)(2) of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 14044(c)(2)) is amended by striking ''2017'' and inserting ''2021''.

(c) GRANTS TO STATE AND LOCAL LAW ENFORCEMENT FOR ANTI-TRAFFICKING PROGRAMS.—Section 204(e) of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 14044c(e)) is amended by striking ''2017'' and inserting ''2021''.

(d) CHILD ADVOCATES FOR UNACCOMPANIED MINORS.—Section 235(c)(6)(F) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(c)(6)(F)) is amended—

(1) in the matter preceding clause (i), by striking ''Secretary and Human Services'' and inserting ''Secretary of Health and Human Services''; and

(2) in clause (ii), by striking ''the fiscal years 2016 and 2017'' and inserting ''fiscal years 2018 through 2021''.

(e) REINSTATEMENT AND REAUTHORIZATION OF GRANTS TO COMBAT CHILD SEX TRAFFICKING.—

(1) REINSTATEMENT OF EXPIRED PROVISION.—

(A) IN GENERAL.—Section 202 of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 14044a) is amended to read as such section read on March 6, 2017.

(B) CONFORMING AMENDMENT.—Section 1241(b) of the Violence Against Women Reauthorization Act of 2013 (42 U.S.C. 14044a note) is repealed.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect as though enacted on March 6, 2017.

(3) REAUTHORIZATION.—Section 202(i) of the Trafficking Victims Protection Reauthorization Act of 2005, as amended by paragraph (1), is amended by striking ''2014 through 2017'' and inserting ''2018 through 2021''.

SEC. 302. ESTABLISHMENT OF OFFICE OF VICTIM ASSISTANCE.

(a) TECHNICAL AMENDMENTS.—Subtitle D of title IV of the Homeland Security Act of 2002 (6 U.S.C. 251 et seq.) is amended—

(1) in section 442—

(A) by striking ''bureau'' each place such term appears, except in subsection (a)(1), and inserting ''agency'';

(B) by striking ''the Bureau of Border Security'' each place such term appears and inserting ''U.S. Immigration and Customs Enforcement'';

(C) in the section heading, by striking ''**BUREAU OF BORDER SECURITY**'' and inserting ''**U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT**'';

(D) in subsection (a)—

(i) in the heading, by striking ''OF BUREAU''; and

(ii) in paragraph (1), by striking ''a bureau to be known as the 'Bureau of Border Security'.'' and inserting ''an agency to be known as 'U.S. Immigration and Customs Enforcement'.'';

(iii) in paragraph (3)(C), by striking ''the Bureau of'' before ''Citizenship and Immigration Services'' and inserting ''U.S.''; and

(iv) in paragraph (4), by striking ''the Bureau.'' and inserting ''the agency.''; and

(E) in subsection (b)(2)—

(i) in the matter preceding subparagraph (A), by striking ''Bureau of Border Security'' and inserting ''U.S. Immigration and Customs Enforcement''; and

(ii) in subparagraph (B), by striking ''the Bureau of'' before ''Citizenship and Immigration Services'' and inserting ''U.S.''; and

(2) in section 443(2), by striking ''such bureau'' and inserting ''such agency''.

(b) FORMALIZATION OF OFFICE OF VICTIM ASSISTANCE.—Section 442 of the Homeland Security Act of 2002 (6 U.S.C. 252) is amended by adding at the end the following:

''(d) OFFICE OF VICTIM ASSISTANCE.—

''(1) IN GENERAL.—There is established in Homeland Security Investigations of U.S. Immigration and Customs Enforcement the Office of Victim Assistance.

''(2) PURPOSE.—The purpose of the Office of Victim Assistance shall be—

''(A) to provide national oversight to ensure that all employees of the U.S. Immigration and Customs Enforcement comply with all applicable Federal laws and policies concerning victims' rights, access to information, advisement of legal rights, just and fair treatment of victims, and respect for victims' privacy and dignity;

''(B) to oversee and support specially trained victim assistance personnel through guidance, training, travel, technical assistance, and equipment to support Homeland Security Investigations in domestic and international investigations with a potential or identified victim or witness.

''(3) FUNCTIONS.—The Office of Victim Assistance shall—

''(A) fund and provide guidance, training, travel, technical assistance, equipment, emergency funding for urgent victim needs as identified, and coordination of victim assistance personnel throughout Homeland Security Investigations to provide potential and identified victims and witnesses with access to the rights and services to which they are entitled by law;

''(B) provide training throughout the U.S. Immigration and Customs Enforcement on victim-related policies, issues, roles of victim assistance personnel, and the victim-centered approach in investigations;

''(C) provide victim assistance specialists to assess victims' needs, provide referrals for comprehensive assistance, and work with special agents to integrate victim assistance considerations throughout the investigation and judicial processes, as needed, by locating such specialists—

''(i) where there is a human trafficking task force in which Homeland Security Investigations participates;

''(ii) where there is a task force targeting child sexual exploitation in which Homeland Security Investigations participates; and

''(iii) in each Homeland Security Investigations Special Agent in Charge Office to address victims of other Federal crimes, such as telemarketing fraud, which Homeland Security Investigations investigates;

''(D) provide forensic interview specialists in each Homeland Security Investigations Special Agent in Charge Office to conduct victim-centered and legally sufficient fact finding forensic interviews, both domestically and internationally;

''(E) provide case consultation, operational planning, coordination of services, and technical assistance and training to special agents regarding all issues related to victims and witnesses of all ages;

''(F) establish victim-related policies for Homeland Security Investigations, including policies related to human trafficking, child sexual exploitation, and other Federal crimes investigated by Homeland Security Investigations; and

''(G) collaborate with other Federal, State, local, and tribal governmental, nongovernmental, and nonprofit entities regarding policy, outreach, and training activities.

''(4) DATA COLLECTION.—The Office of Victim Assistance shall collect and maintain data in a manner that protects the confidentiality of the data and omits personally identifying information and subject to other Federal laws regarding victim confidentiality, including—

''(A) the sex and race of the victim;

''(B) each alleged crime that the victim was subjected to, and in the case of human trafficking, each purpose for which the victim was trafficked, such as commercial sex or forced labor; and

''(C) whether the victim was an adult or a minor child.

''(5) AVAILABILITY OF DATA TO CONGRESS.—The Office of Victim Assistance shall make the data collected and maintained under paragraph (4) available to the committees of Congress set forth in section 105(d)(7) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103(d)(7)).''.

(c) REPORTING REQUIREMENT.—Section 105(d)(7) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103(d)(7)) is amended—

(1) in subparagraph (Q)(vii), by striking ''and'' at the end;

(2) in subparagraph (R), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(S) the data collected by Homeland Security Investigations of U.S. Immigration and Customs Enforcement under section 442(d)(4) of the Homeland Security Act of 2002.''.

(d) FUNDING.—The Director of the Office for Victims of Crime of the Department of Justice may transfer amounts described in subparagraph (C) of section 1402(d)(3) of the Victims of Crime Act of 1984 (42 U.S.C. 10601(d)(3)), as added by section 305 of this Act, to the Office of Victim Assistance of the Department of Homeland Security for the costs for providing direct victim assistance services, including victim assistance specialists and forensic interview specialists, by the Office of Victim Assistance.

(e) CONFORMING AMENDMENT.—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 442 and inserting the following:

''Sec. 442. Establishment of U.S. Immigration and Customs Enforcement.''.

SEC. 303. IMPLEMENTING A VICTIM-CENTERED APPROACH TO HUMAN TRAFFICKING.

Section 107(b)(2) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(b)(2)) is amended—

(1) in subparagraph (B)(ii), by striking the period at the end and inserting ''; and''; and

(2) by adding at the end the following:

''(D) PRIORITY.—In selecting recipients of grants under this paragraph that are only available for law enforcement operations or task forces, the Attorney General may give priority to any applicant that files an attestation with the Attorney General stating that—

''(i) the grant funds awarded under this paragraph—

''(I) will be used to assist in the prevention of severe forms of trafficking in persons;

''(II) will be used to strengthen efforts to investigate and prosecute those who knowingly benefit financially from participation in a venture that has engaged in any act of human trafficking;

''(III) will be used to take affirmative measures to avoid arresting, charging, or prosecuting victims of human trafficking for any offense that is the direct result of their victimization; and

''(IV) will not be used to require a victim of human trafficking to collaborate with law enforcement officers as a condition of access to any shelter or restorative services; and

''(ii) the applicant will provide dedicated resources for anti-human trafficking law enforcement officers for a period that is longer than the duration of the grant received under this paragraph.''.

SEC. 304. IMPROVING VICTIM SCREENING.

(a) IN GENERAL.—The Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 et seq.) is amended by inserting after section 107A (22 U.S.C. 7105a) the following:

''SEC. 107B. IMPROVING DOMESTIC VICTIM SCREENING PROCEDURES.

''(a) VICTIM SCREENING TOOLS.—Not later than October 1, 2018, the Attorney General shall compile and disseminate, to all grantees who are awarded grants to provide victims' services under subsection (b) or (f) of section 107, information about reliable and effective tools for the identification of victims of human trafficking.

''(b) USE OF SCREENING PROCEDURES.—Beginning not later than October 1, 2018, the Attorney General, in consultation with the Secretary of Health and Human Services, shall identify recommended practices for the screening of human trafficking victims and shall encourage the use of such practices by grantees receiving a grant to provide victim services to youth under subsection (b) or (f) of section 107.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106–386) is amended by inserting after the item relating to section 107A the following:

''Sec. 107B. Improving domestic victim screening procedures.''.

(c) AMENDMENT TO TITLE 18.—Section 1593A of title 18, United States Code, is amended by striking ''section 1581(a), 1592, or 1595(a)'' and inserting ''this chapter''.

SEC. 305. IMPROVING VICTIM SERVICES.

Section 1402(d)(3) of the Victims of Crime Act of 1984 (42 U.S.C. 10601(d)(3)) is amended by adding at the end the following:

''(C)(i) The Director may use not more than 1 percent of the amount to be distributed from the Fund under this paragraph in a particular fiscal year to provide and improve direct assistance services for crime victims, including victim assistance coordinators and specialists, in the Federal criminal justice system (as described in section 3771 of title 18, United States Code, and section 503 of the Victims' Rights and Restitution Act of 1990 (42 U.S.C. 10607)) by a department or agency of the Federal Government other than the Department of Justice.

''(ii) Beginning in the first fiscal year beginning after the date of enactment of this subparagraph and every fiscal year thereafter, the Director shall solicit requests for funding under clause (i).''.

TITLE IV—IMPROVED DATA COLLECTION AND INTERAGENCY COORDINATION

SEC. 401. PROMOTING DATA COLLECTION ON HUMAN TRAFFICKING.

(a) PREVALENCE OF HUMAN TRAFFICKING.—Not later than 1 year after the date of enactment of this Act, the Attorney General shall submit to Congress a report on the efforts of the National Institute of Justice to develop a methodology to assess the prevalence of human trafficking in the United States, including a timeline for completion of the methodology.

(b) INNOCENCE LOST NATIONAL INITIATIVE.—Not later than 180 days after the date of enactment of this Act, the Director of the Federal Bureau of Investigation shall submit to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives a report on the status of the Innocence Lost National Initiative, which shall include, for each of the last 5 fiscal years, information on—

(1) the number of human traffickers who were arrested, disaggregated by—

(A) the number of individuals arrested for patronizing or soliciting an adult;

(B) the number of individuals arrested for recruitment, harboring, maintaining, or obtaining an adult;

(C) the number of individuals arrested for patronizing or soliciting a minor; and

(D) the number of individuals arrested for recruitment, harboring, maintaining, or obtaining a minor;

(2) the number of adults who were arrested on charges of prostitution;

(3) the number of minor victims who were identified;

(4) the number of minor victims who were arrested and formally petitioned by a juvenile court or criminally charged; and

(5) the placement of and social services provided to each such minor victim as part of each State operation.

(c) AVAILABILITY OF REPORTS.—The reports required under subsections (a) and (b) shall be posted on the website of the Department of Justice.

SEC. 402. CRIME REPORTING.

Section 7332(c) of the Uniform Federal Crime Reporting Act of 1988 (28 U.S.C. 534 note) is amended—

(1) in paragraph (3), by striking ''in the form of annual Uniform Crime Reports for the United States'' and inserting ''not less frequently than annually''; and

(2) by adding at the end the following:

''(4) INTERAGENCY COORDINATION.—

''(A) IN GENERAL.—Not later than 90 days after the date of enactment of this paragraph, the Director of the Federal Bureau of Investigation shall coordinate with the head of each department or agency within the Federal Government that is subject to the mandatory reporting requirements under paragraph (2) for the purpose of ensuring successful implementation of paragraph (2).

''(B) FOR REPORT.—Not later than 6 months after the date of enactment of this paragraph, the head of each department or agency within the Federal Government that is subject to the mandatory reporting requirements under paragraph (2) shall provide the Director of the Federal Bureau of Investigation such information as the Director determines is necessary to complete the first report required under paragraph (5).

''(5) ANNUAL REPORT BY FEDERAL BUREAU OF INVESTIGATION.—Not later than 1 year after the date of enactment of this paragraph, and annually thereafter, the Director of the Federal Bureau of Investigation shall prepare and submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report detailing the efforts of the departments and agencies within the Federal Government to come into compliance with paragraph (2). The report shall contain a list of all departments and agencies within the Federal Government subject to paragraph (2) and whether each department or agency is in compliance with paragraph (2).''.

SEC. 403. HUMAN TRAFFICKING ASSESSMENT.

Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Executive Associate Director of Homeland Security Investigations shall submit to the Committee on Homeland Security and Governmental Affairs and the Committee on the Judiciary of the Senate, and the Committee on Homeland Security and the Committee on the Judiciary of the House of Representatives a report on human trafficking investigations undertaken by Homeland Security Investigations that includes—

(1) the number of confirmed human trafficking investigations by category, including labor trafficking, sex trafficking, and transnational and domestic human trafficking;

(2) the number of victims by category, including—

(A) whether the victim is a victim of sex trafficking or a victim of labor trafficking; and

(B) whether the victim is a minor or an adult; and

(3) an analysis of the data described in paragraphs (1) and (2) and other data available to Homeland Security Investigations that indicates any general human trafficking or investigatory trends.

TITLE V—TRAINING AND TECHNICAL ASSISTANCE

SEC. 501. ENCOURAGING A VICTIM-CENTERED APPROACH TO TRAINING OF FEDERAL LAW ENFORCEMENT PERSONNEL.

(a) TRAINING CURRICULUM IMPROVEMENTS.—The Attorney General, Secretary of Homeland Security, and Secretary of Labor shall periodically, but not less frequently than once every 2 years, implement improvements to the training programs on human trafficking for employees of the Department of Justice, Department of Homeland Security, and Department of Labor, respectively, after consultation with survivors of human trafficking, or trafficking victims service providers, and Federal law enforcement agencies responsible for the prevention, deterrence, and prosecution of offenses involving human trafficking (such as individuals serving as, or who have served as, investigators in a Federal agency and who have expertise in identifying human trafficking victims and investigating human trafficking cases).

(b) ADVANCED TRAINING CURRICULUM.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Attorney General and the Secretary of Homeland Security shall develop an advanced training curriculum, to supplement the basic curriculum for investigative personnel of the Department of Justice and the Department of Homeland Security, respectively, that—

(A) emphasizes a multidisciplinary, collaborative effort by law enforcement officers and victim service providers to offer comprehensive services and resources for victims and a broad range of investigation and prosecution options in response to perpetrators;

(B) provides guidance about the recruitment techniques employed by human traffickers to clarify that an individual who knowingly solicits or patronizes a commercial sex act from a person who was a minor (consistent with section 1591(c) of title 18, United States Code) or was subject to force, fraud, or coercion is guilty of an offense under chapter 77 of title 18, United States Code, and is a party to a human trafficking offense; and

(C) explains that—

(i) victims of sex or labor trafficking often engage in criminal acts as a direct result of severe trafficking in persons and such individuals are victims of a crime and affirmative measures should be taken to avoid arresting, charging, or prosecuting such individuals for any offense that is the direct result of their victimization; and

(ii) a comprehensive approach to eliminating human trafficking should include demand reduction as a component.

(2) USE OF CURRICULUM.—The Attorney General and the Secretary of Homeland Security shall provide training using the curriculum developed under paragraph (1) to—

(A) all law enforcement officers employed by the Department of Justice and the Department of Homeland Security, respectively, who may be involved in the investigation of human trafficking offenses; and

(B) members of task forces that participate in the investigation of human trafficking offenses.

(c) TRAINING COMPONENTS.—Section 107(c)(4)(B) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(c)(4)(B)) is amended—

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

(2) in clause (iii), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(iv) a discussion clarifying that an individual who knowingly solicits or patronizes a commercial sex act from a person who was a minor (consistent with section 1591(c) of title 18, United States Code) or was subject to force, fraud, or coercion is guilty of an offense under chapter 77 of title 18, United States Code, and is a party to a human trafficking offense.''.

SEC. 502. VICTIM SCREENING TRAINING.

Section 114 of the Justice for Victims of Trafficking Act of 2015 (42 U.S.C. 14044g) is amended—

(1) in subsection (c)(1)(A)—

(A) in clause (i), by striking the ''and'' at the end;

(B) in clause (ii), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

''(iii) individually screening all adults and children who are suspected of engaging in commercial sex acts or who are subject to labor exploitation that may be in violation of child labor laws to determine whether each individual screened is a victim of human trafficking; and

''(iv) how—

''(I) victims of sex or labor trafficking often engage in criminal acts as a direct result of severe trafficking in persons; and

''(II) such individuals are victims of a crime and affirmative measures should be taken to avoid arresting, charging, or prosecuting such individuals for any offense that is the direct result of their victimization.''; and

(2) by adding at the end the following:

''(f) DEPARTMENT OF JUSTICE VICTIM SCREENING PROTOCOL.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of this subsection, the Attorney General shall issue a screening protocol for use during all anti-trafficking law enforcement operations in which the Department of Justice is involved.

''(2) REQUIREMENTS.—The protocol required to be issued under paragraph (1) shall—

''(A) require the individual screening of all adults and children who are suspected of engaging in commercial sex acts or who are subject to labor exploitation that may be in violation of child labor laws to determine whether each individual screened is a victim of human trafficking;

''(B) require affirmative measures to avoid arresting, charging, or prosecuting human trafficking victims for any offense that is the direct result of their victimization;

''(C) require all Federal law enforcement officers and relevant department personnel who participate in human trafficking investigations to receive training on enforcement of the protocol;

''(D) be developed in consultation with State and local law enforcement agencies, the Department of Health and Human Services, survivors of human trafficking, and nongovernmental organizations that specialize in the identification, prevention, and restoration of victims of human trafficking; and

''(E) include—

''(i) procedures and practices to ensure that the screening process minimizes trauma or revictimization of the person being screened; and

''(ii) guidelines on assisting victims of human trafficking in identifying and receiving victim services.''.

SEC. 503. JUDICIAL TRAINING.

Section 223(b)(2) of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13023(b)(2)) is amended—

(1) in subparagraph (B) by striking ''and'' at the end;

(2) in subparagraph (C) by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(D) procedures for improving the judicial response to children who are vulnerable to human trafficking, to the extent an appropriate screening tool exists.''.

SEC. 504. TRAINING OF TRIBAL LAW ENFORCEMENT AND PROSECUTORIAL PERSONNEL.

The Attorney General, in consultation with the Director of the Office of Tribal Justice, shall carry out a program under which tribal law enforcement officials may receive technical assistance and training to pursue a victim-centered approach to investigating and prosecuting severe forms of trafficking in persons (as defined in section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102)).

TITLE VI—ACCOUNTABILITY

SEC. 601. GRANT ACCOUNTABILITY.

Section 1236 of the Violence Against Women Reauthorization Act of 2013 (22 U.S.C. 7113) is amended—

(1) in the matter preceding paragraph (1), by striking ''All grants'' and inserting the following:

''(a) IN GENERAL.—For fiscal year 2013, and each fiscal year thereafter, all grants''; and

(2) by adding at the end the following

''(b) APPLICATION TO ADDITIONAL GRANTS.—For purposes of subsection (a), for fiscal year 2018, and each fiscal year thereafter, the term 'grant awarded by the Attorney General under this title or an Act amended by this title' includes a grant under any of the following:

''(1) Section 223 of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13023).

''(2) The program under section 504 of the Trafficking Victims Protection Act of 2017.''.

TITLE VII—PUBLIC-PRIVATE PARTNERSHIP ADVISORY COUNCIL TO END HUMAN TRAFFICKING

SEC. 701. SHORT TITLE.

This title may be cited as the ''Public-Private Partnership Advisory Council to End Human Trafficking Act''.

SEC. 702. DEFINITIONS.

In this Act:

(1) COUNCIL.—The term ''Council'' means the Public-Private Partnership Advisory Council to End Human Trafficking

(2) GROUP.—The term ''Group'' means the Senior Policy Operating Group established under section 105(g) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103(g)).

(3) TASK FORCE.—The term ''Task Force'' means the President's Interagency Task Force to Monitor and Combat Trafficking established under section 105(a) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103(a)).

SEC. 703. PUBLIC-PRIVATE PARTNERSHIP ADVISORY COUNCIL TO END HUMAN TRAFFICKING.

(a) ESTABLISHMENT.—There is established the Public-Private Partnership Advisory Council to End Human Trafficking, which shall provide advice and recommendations to the Group and the Task Force.

(b) MEMBERSHIP.—

(1) COMPOSITION.—The Council shall be composed of not fewer than 8 and not more than 14 representatives of nongovernmental organizations, academia, and nonprofit groups who have significant knowledge and experience in human trafficking prevention and eradication, identification of human trafficking, and comprehensive services for human trafficking victims.

(2) REPRESENTATION OF NONPROFIT AND NONGOVERNMENTAL ORGANIZATIONS.—To the extent practicable, members of the Council shall be representatives of nonprofit groups, academia, and nongovernmental organizations who accurately reflect the diverse backgrounds related to work in the prevention, eradication, and identification of human trafficking and comprehensive services for human trafficking victims in the United States and internationally.

(3) APPOINTMENT.—Not later than 180 days after the date of the enactment of this Act, the President shall appoint—

(A) 1 member of the Council, after consultation with the President Pro Tempore of the Senate;

(B) 1 member of the Council, after consultation with the Minority Leader of the Senate;

(C) 1 member of the Council, after consultation with the Speaker of the House of Representatives;

(D) 1 member of the Council, after consultation with the Minority Leader of the House of Representatives; and

(E) the remaining members of the Council.

(4) TERM; REAPPOINTMENT.—Each member of the Council—

(A) shall serve for a term of 2 years; and

(B) may be reappointed by the President to serve 1 additional 2-year term.

(5) EMPLOYEE STATUS.—Members of the Council—

(A) shall not be considered employees of the Federal Government for any purpose; and

(B) shall not receive compensation.

(c) FUNCTIONS.—The Council shall—

(1) be a nongovernmental advisory body to the Group;

(2) meet, at its own discretion or at the request of the Group, not less frequently than annually, to review Federal Government policy and programs intended to combat human trafficking, including programs relating to the provision of services for victims;

(3) serve as a point of contact, with the United States Advisory Council on Human Trafficking, for Federal agencies reaching out to human trafficking nonprofit groups and nongovernmental organizations for input on programming and policies relating to human trafficking in the United States;

(4) formulate assessments and recommendations to ensure that the policy and programming efforts of the Federal Government conform, to the extent practicable, to the best practices in the field of human trafficking prevention and rehabilitation and aftercare of human trafficking victims; and

(5) meet with the Group not less frequently than annually, and not later than 45 days before a meeting with the Task Force, to formally present the findings and recommendations of the Council.

(d) NONAPPLICABILITY OF FACA.—The Council shall not be subject to the requirements under the Federal Advisory Committee Act (5 U.S.C. App.).

SEC. 704. REPORTS.

Not later than 1 year after the date of the enactment of this Act and annually thereafter until the date described in section 705, the Council, in coordination with the United States Advisory Council on Human Trafficking, shall submit a report containing the findings derived from the reviews conducted pursuant to section 3(c)(2) to—

(1) the Committee on Appropriations of the Senate;

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

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

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

(5) the Committee on Appropriations of the House of Representatives;

(6) the Committee on Foreign Affairs of the House of Representatives;

(7) the Committee on Homeland Security of the House of Representatives;

(8) the Committee on the Judiciary of the House of Representatives;

(9) the chair of the Task Force; and

(10) the members of the Group.

SEC. 705. SUNSET.

The Council shall terminate on September 30, 2020.

Mr. MCCONNELL. I ask unanimous consent that the committee-reported substitute amendment be considered; that the Grassley amendment at the desk be considered and agreed to; that the committee-reported substitute amendment, as amended, be agreed to; that the bill, as amended, be considered read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 937) was agreed to, as follows:

(Purpose: To improve the bill)

Beginning on page 69, strike line 23 and all that follows through page 70, line 6.

On page 70, line 7, strike ''(e)'' and insert ''(d)''.

On page 73, strike line 22 and insert the following:

requests for funding under clause (i).

''(iii) Before amounts are distributed from the Fund to a department or agency for the purpose described in clause (i), the Director shall evaluate whether the activities proposed to be carried out by such department or agency would duplicate services that are provided by another department or agency of the Federal Government (including the Department of Justice) using amounts from the Fund, and impose measures to avoid such duplication to the greatest extent possible.''.

On page 79, strike lines 18 through 23 and insert the following:

(A) emphasizes a multidisciplinary, collaborative effort by law enforcement officers who provide a broad range of investigation and prosecution options in response to perpetrators, and victim service providers, who offer services and resources for victims;

On page 87, line 17, strike ''comprehensive''.

On page 88, line 1, strike ''comprehensive''.

The committee-reported amendment in the nature of a substitute, as amended, was agreed to.

The bill (S. 1312), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1312

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 ''Trafficking Victims Protection Act of 2017''.

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

Sec. 1. Short title; table of contents.
Sec. 2. Findings; sense of Congress.

TITLE I—FREDERICK DOUGLASS TRAFFICKING PREVENTION ACT OF 2017

Sec. 101. Training of school resource officers to recognize and respond to signs of human trafficking.
Sec. 102. Training for school personnel.

TITLE II—JUSTICE FOR TRAFFICKING VICTIMS

Sec. 201. Injunctive relief.
Sec. 202. Improving support for missing and exploited children.
Sec. 203. Forensic and investigative assistance.

TITLE III—SERVICES FOR TRAFFICKING SURVIVORS

Sec. 301. Extension of anti-trafficking grant programs.
Sec. 302. Establishment of Office of Victim Assistance.
Sec. 303. Implementing a victim-centered approach to human trafficking.
Sec. 304. Improving victim screening.
Sec. 305. Improving victim services.

TITLE IV—IMPROVED DATA COLLECTION AND INTERAGENCY COORDINATION

Sec. 401. Promoting data collection on human trafficking.
Sec. 402. Crime reporting.
Sec. 403. Human trafficking assessment.

TITLE V—TRAINING AND TECHNICAL ASSISTANCE

Sec. 501. Encouraging a victim-centered approach to training of Federal law enforcement personnel.
Sec. 502. Victim screening training.
Sec. 503. Judicial training.
Sec. 504. Training of tribal law enforcement and prosecutorial personnel.

TITLE VI—ACCOUNTABILITY

Sec. 601. Grant accountability.

TITLE VII—PUBLIC-PRIVATE PARTNERSHIP ADVISORY COUNCIL TO END HUMAN TRAFFICKING

Sec. 701. Short title.
Sec. 702. Definitions.
Sec. 703. Public-Private Partnership Advisory Council to End Human Trafficking.
Sec. 704. Reports.
Sec. 705. Sunset.

SEC. 2. FINDINGS; SENSE OF CONGRESS.

(a) FINDINGS.—Congress finds the following:

(1) The crime of human trafficking involves the exploitation of adults through force, fraud, or coercion, and children for

such purposes as forced labor or commercial sex.

(2) Reliable data on the prevalence of human trafficking in the United States is not available, but cases have been reported in all 50 States, the territories of the United States, and the District of Columbia.

(3) Each year, thousands of individuals may be trafficked within the United States, according to recent estimates from victim advocates.

(4) More accurate and comprehensive data on the prevalence of human trafficking is needed to properly combat this form of modern slavery in the United States.

(5) Victims of human trafficking can include men, women, and children who are diverse with respect to race, ethnicity, and nationality, among other factors.

(6) Since the enactment of the Trafficking Victims Protection Act of 2000 (Public Law 106–386; 114 Stat. 1464), human traffickers have launched increasingly sophisticated schemes to increase the scope of their activities and the number of their victims.

(b) SENSE OF CONGRESS.—It is the sense of Congress that Congress supports additional efforts to raise awareness of and oppose human trafficking.

TITLE I—FREDERICK DOUGLASS TRAFFICKING PREVENTION ACT OF 2017

SEC. 101. TRAINING OF SCHOOL RESOURCE OFFICERS TO RECOGNIZE AND RESPOND TO SIGNS OF HUMAN TRAFFICKING.

Section 1701(b)(12) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd(b)(12)) is amended by inserting '', including the training of school resource officers in the prevention of human trafficking offenses'' before the semicolon at the end.

SEC. 102. TRAINING FOR SCHOOL PERSONNEL.

Section 41201(f) of the Violence Against Women Act of 1994 (42 U.S.C. 14043c(f)) is amended by striking ''2014 through 2018'' and inserting ''2019 through 2022''.

TITLE II—JUSTICE FOR TRAFFICKING VICTIMS

SEC. 201. INJUNCTIVE RELIEF.

(a) IN GENERAL.—Chapter 77 of title 18, United States Code, is amended by inserting after section 1595 the following:

''§ 1595A. Civil injunctions

''(a) IN GENERAL.—Whenever it shall appear that any person is engaged or is about to engage in any act that constitutes or will constitute a violation of this chapter, chapter 110, or chapter 117, or a conspiracy under section 371 to commit a violation of this chapter, chapter 110, or chapter 117, the Attorney General may bring a civil action in a district court of the United States seeking an order to enjoin such act.

''(b) ACTION BY COURT.—The court shall proceed as soon as practicable to the hearing and determination of a civil action brought under subsection (a), and may, at any time before final determination, enter such a restraining order or prohibition, or take such other action, as is warranted to prevent a continuing and substantial injury to the United States or to any person or class of persons for whose protection the civil action is brought.

''(c) PROCEDURE.—

''(1) IN GENERAL.—A proceeding under this section shall be governed by the Federal Rules of Civil Procedure, except that, if an indictment has been returned against the respondent, discovery shall be governed by the Federal Rules of Criminal Procedure.

''(2) SEALED PROCEEDINGS.—If a civil action is brought under subsection (a) before an indictment is returned against the respondent or while an indictment against the respondent is under seal—

''(A) the court shall place the civil action under seal; and

''(B) when the indictment is unsealed, the court shall unseal the civil action unless good cause exists to keep the civil action under seal.

''(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed or applied so as to abridge the exercise of rights guaranteed under the First Amendment to the Constitution of the United States.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 77 of title 18, United States Code, is amended by inserting after the item relating to section 1595 the following:

''1595A. Civil injunctions.''.

SEC. 202. IMPROVING SUPPORT FOR MISSING AND EXPLOITED CHILDREN.

(a) FINDINGS.—Section 402 of the Missing Children's Assistance Act (42 U.S.C. 5771) is amended—

(1) by amending paragraph (1) to read as follows:

''(1) each year tens of thousands of children run away, or are abducted or removed, from the control of a parent having legal custody without the consent of that parent, under circumstances which immediately place the child in grave danger;'';

(2) by striking paragraphs (4) and (5);

(3) in paragraph (6) by inserting '', including child sex trafficking and sextortion'' after ''exploitation'';

(4) in paragraph (8) by adding ''and'' at the end;

(5) by striking paragraph (9);

(6) by amending paragraph (10) to read as follows:

''(10) a key component of such programs is the National Center for Missing and Exploited Children that—

''(A) serves as a nonprofit, national resource center and clearinghouse to provide assistance to victims, families, child-serving professionals, and the general public;

''(B) works with the Department of Justice, the Federal Bureau of Investigation, the United States Marshals Service, the Department of the Treasury, the Department of State, U.S. Immigration and Customs Enforcement, the United States Secret Service, the United States Postal Inspection Service, other agencies, and nongovernmental organizations in the effort to find missing children and to prevent child victimization; and

''(C) coordinates with each of the missing children clearinghouses operated by the 50 States, the District of Columbia, Puerto Rico, and international organizations to transmit images and information regarding missing and exploited children to law enforcement agencies, nongovernmental organizations, and corporate partners across the United States and around the world instantly.''; and

(7) by redesignating paragraphs (6), (7), (8), and (10), as amended by this subsection, as paragraphs (4), (5), (6), and (7), respectively.

(b) DEFINITIONS.—Section 403 of the Missing Children's Assistance Act (42 U.S.C. 5772) is amended—

(1) by striking paragraph (1) and inserting the following:

''(1) the term 'missing child' means any individual less than 18 years of age whose whereabouts are unknown to such individual's parent;'';

(2) in paragraph (2) by striking ''and'' at the end;

(3) in paragraph (3) by striking the period at the end and inserting ''; and''; and

(4) by adding at the end the following:

''(4) the term 'parent' includes a legal guardian or other individual who may lawfully exercise parental rights with respect to the child.''.

(c) DUTIES AND FUNCTIONS OF THE ADMINISTRATOR.—Section 404 of the Missing Children's Assistance Act (42 U.S.C. 5773) is amended—

(1) in subsection (a)—

(A) in paragraph (3) by striking ''telephone line'' and inserting ''hotline''; and

(B) in paragraph (6)(E)—

(i) by striking ''telephone line'' and inserting ''hotline'';

(ii) by striking ''(b)(1)(A) and'' and inserting ''(b)(1)(A),''; and

(iii) by inserting '', and the number and types of reports to the tipline established under subsection (b)(1)(K)(i)'' before the semicolon at the end;

(2) in subsection (b)(1)—

(A) in subparagraph (A)—

(i) by striking ''telephone line'' each place it appears and inserting ''hotline''; and

(ii) by striking ''legal custodian'' and inserting ''parent'';

(B) in subparagraph (C)—

(i) in clause (i)—

(I) by striking ''restaurant'' and inserting ''food''; and

(II) by striking ''and'' at the end;

(ii) in clause (ii) by adding ''and'' at the end; and

(iii) by adding at the end the following:

''(iii) innovative and model programs, services, and legislation that benefit missing and exploited children;'';

(C) by striking subparagraphs (E), (F), and (G);

(D) by amending subparagraph (H) to read as follows:

''(H) provide technical assistance and training to families, law enforcement agencies, State and local governments, elements of the criminal justice system, nongovernmental agencies, local educational agencies, and the general public—

''(i) in the prevention, investigation, prosecution, and treatment of cases involving missing and exploited children;

''(ii) to respond to foster children missing from the State child welfare system in coordination with child welfare agencies and courts handling juvenile justice and dependency matters; and

''(iii) in the identification, location, and recovery of victims of, and children at risk for, child sex trafficking;'';

(E) by amending subparagraphs (I), (J), and (K) to read as follows:

''(I) provide assistance to families, law enforcement agencies, State and local governments, nongovernmental agencies, child-serving professionals, and other individuals involved in the location and recovery of missing and abducted children nationally and, in cooperation with the Department of State, internationally;

''(J) provide support and technical assistance to child-serving professionals involved in helping to recover missing and exploited children by searching public records databases to help in the identification, location, and recovery of such children, and help in the location and identification of potential abductors and offenders;

''(K) provide forensic and direct on-site technical assistance and consultation to families, law enforcement agencies, child-serving professionals, and nongovernmental organizations in child abduction and exploitation cases, including facial reconstruction of skeletal remains and similar techniques to assist in the identification of unidentified deceased children;'';

(F) by striking subparagraphs (L) and (M);

(G) by amending subparagraph (N) to read as follows:

''(N) provide training, technical assistance, and information to nongovernmental organizations relating to non-compliant sex offenders and to law enforcement agencies in identifying and locating such individuals;'';

(H) by striking subparagraph (P);

(I) by amending subparagraph (Q) to read as follows:

''(Q) work with families, law enforcement agencies, electronic service providers, electronic payment service providers, technology companies, nongovernmental organizations, and others on methods to reduce the existence and distribution of online images and videos of sexually exploited children—

''(i) by operating a tipline to—

''(I) provide to individuals and electronic service providers an effective means of reporting Internet-related and other instances of child sexual exploitation in the areas of—

''(aa) possession, manufacture, and distribution of child pornography;

''(bb) online enticement of children for sexual acts;

''(cc) child sex trafficking;

''(dd) sex tourism involving children;

''(ee) extra familial child sexual molestation;

''(ff) unsolicited obscene material sent to a child;

''(gg) misleading domain names; and

''(hh) misleading words or digital images on the Internet; and

''(II) make reports received through the tipline available to the appropriate law enforcement agency for its review and potential investigation;

''(ii) by operating a child victim identification program to assist law enforcement agencies in identifying victims of child pornography and other sexual crimes to support the recovery of children from sexually exploitative situations; and

''(iii) by utilizing emerging technologies to provide additional outreach and educational materials to parents and families;'';

(J) by striking subparagraph (R);

(K) by amending subparagraphs (S) and (T) to read as follows:

''(S) develop and disseminate programs and information to families, child-serving professionals, law enforcement agencies, State and local governments, nongovernmental organizations, schools, local educational agencies, child-serving organizations, and the general public on—

''(i) the prevention of child abduction and sexual exploitation;

''(ii) Internet safety, including tips for social media and cyberbullying; and

''(iii) sexting and sextortion; and

''(T) provide technical assistance and training to local educational agencies, schools, State and local law enforcement agencies, individuals, and other nongovernmental organizations that assist with finding missing and abducted children in identifying and recovering such children;''; and

(L) by redesignating subparagraphs (H), (I), (J), (K), (N), (O), (Q), (S), (T), (U), and (V), as amended by this subsection, as subparagraphs (E) through (O), respectively.

(d) GRANTS.—Section 405 of the Missing Children's Assistance Act (42 U.S.C. 5775) is amended—

(1) in subsection (a)—

(A) in paragraph (7) by striking ''(as defined in section 403(1)(A))''; and

(B) in paragraph (8)—

(i) by striking ''legal custodians'' and inserting ''parents''; and

(ii) by striking ''custodians' '' and inserting ''parents' ''; and

(2) in subsection (b)(1)(A) by striking ''legal custodians'' and inserting ''parents''.

(e) REPORTING.—The Missing Children's Assistance Act (42 U.S.C. 5771 et seq.) is amended—

(1) by redesignating sections 407 and 408 as section 408 and 409, respectively; and

(2) by inserting after section 406 the following:

''SEC. 407. REPORTING.

''(a) REQUIRED REPORTING.—As a condition of receiving funds under section 404(b), the grant recipient shall, based solely on reports received by the grantee and not involving any data collection by the grantee other than those reports, annually provide to the Administrator and make available to the general public, as appropriate—

''(1) the number of children nationwide who are reported to the grantee as missing;

''(2) the number of children nationwide who are reported to the grantee as victims of non-family abductions;

''(3) the number of children nationwide who are reported to the grantee as victims of family abductions; and

''(4) the number of missing children recovered nationwide whose recovery was reported to the grantee.

''(b) INCIDENCE OF ATTEMPTED CHILD ABDUCTIONS.—As a condition of receiving funds under section 404(b), the grant recipient shall—

''(1) track the incidence of attempted child abductions in order to identify links and patterns;

''(2) provide such information to law enforcement agencies; and

''(3) make such information available to the general public, as appropriate.''.

SEC. 203. FORENSIC AND INVESTIGATIVE ASSISTANCE.

Section 3056(f) of title 18, United States Code, is amended—

(1) by inserting ''in conjunction with an investigation'' after ''local law enforcement agency''; and

(2) by striking ''in support of any investigation involving missing or exploited children''.

TITLE III—SERVICES FOR TRAFFICKING SURVIVORS

SEC. 301. EXTENSION OF ANTI-TRAFFICKING GRANT PROGRAMS.

(a) TRAFFICKING VICTIMS PROTECTION ACT OF 2000.—The Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 et seq.) is amended—

(1) in section 112A(b)(4) (22 U.S.C. 7109a(b)(4)), by striking ''2014 through 2017'' and inserting ''2018 through 2021'';

(2) in section 113 (22 U.S.C. 7110)—

(A) in subsection (d)—

(i) in the paragraph (1), by striking ''$11,000,000 for each of fiscal years 2014 through 2017'' and inserting ''$45,000,000 for each of fiscal years 2018 through 2021''; and

(ii) in paragraph (3), by striking ''2014 through 2017'' and inserting ''2018 through 2021''; and

(B) in subsection (e)—

(i) in paragraph (1), by striking ''2014 through 2017'' and inserting ''2018 through 2021''; and

(ii) in paragraph (2), by striking ''2014 through 2017'' and inserting ''2018 through 2021''; and

(C) in subsection (f), by striking ''2014 through 2017'' and inserting ''2018 through 2021''.

(b) ANNUAL TRAFFICKING CONFERENCE.—Section 201(c)(2) of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 14044(c)(2)) is amended by striking ''2017'' and inserting ''2021''.

(c) GRANTS TO STATE AND LOCAL LAW ENFORCEMENT FOR ANTI-TRAFFICKING PROGRAMS.—Section 204(e) of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 14044c(e)) is amended by striking ''2017'' and inserting ''2021''.

(d) CHILD ADVOCATES FOR UNACCOMPANIED MINORS.—Section 235(c)(6)(F) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(c)(6)(F)) is amended—

(1) in the matter preceding clause (i), by striking ''Secretary and Human Services'' and inserting ''Secretary of Health and Human Services''; and

(2) in clause (ii), by striking ''the fiscal years 2016 and 2017'' and inserting ''fiscal years 2018 through 2021''.

(e) REINSTATEMENT AND REAUTHORIZATION OF GRANTS TO COMBAT CHILD SEX TRAFFICKING.—

(1) REINSTATEMENT OF EXPIRED PROVISION.—

(A) IN GENERAL.—Section 202 of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 14044a) is amended to read as such section read on March 6, 2017.

(B) CONFORMING AMENDMENT.—Section 1241(b) of the Violence Against Women Reauthorization Act of 2013 (42 U.S.C. 14044a note) is repealed.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect as though enacted on March 6, 2017.

(3) REAUTHORIZATION.—Section 202(i) of the Trafficking Victims Protection Reauthorization Act of 2005, as amended by paragraph (1), is amended by striking ''2014 through 2017'' and inserting ''2018 through 2021''.

SEC. 302. ESTABLISHMENT OF OFFICE OF VICTIM ASSISTANCE.

(a) TECHNICAL AMENDMENTS.—Subtitle D of title IV of the Homeland Security Act of 2002 (6 U.S.C. 251 et seq.) is amended—

(1) in section 442—

(A) by striking ''bureau'' each place such term appears, except in subsection (a)(1), and inserting ''agency'';

(B) by striking ''the Bureau of Border Security'' each place such term appears and inserting ''U.S. Immigration and Customs Enforcement'';

(C) in the section heading, by striking ''**BUREAU OF BORDER SECURITY**'' and inserting ''**U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT**'';

(D) in subsection (a)—

(i) in the heading, by striking ''OF BUREAU''; and

(ii) in paragraph (1), by striking ''a bureau to be known as the 'Bureau of Border Security'.'' and inserting ''an agency to be known as 'U.S. Immigration and Customs Enforcement'.'';

(iii) in paragraph (3)(C), by striking ''the Bureau of'' before ''Citizenship and Immigration Services'' and inserting ''U.S.''; and

(iv) in paragraph (4), by striking ''the Bureau.'' and inserting ''the agency.''; and

(E) in subsection (b)(2)—

(i) in the matter preceding subparagraph (A), by striking ''Bureau of Border Security'' and inserting ''U.S. Immigration and Customs Enforcement''; and

(ii) in subparagraph (B), by striking ''the Bureau of'' before ''Citizenship and Immigration Services'' and inserting ''U.S.''; and

(2) in section 443(2), by striking ''such bureau'' and inserting ''such agency''.

(b) FORMALIZATION OF OFFICE OF VICTIM ASSISTANCE.—Section 442 of the Homeland Security Act of 2002 (6 U.S.C. 252) is amended by adding at the end the following:

''(d) OFFICE OF VICTIM ASSISTANCE.—

''(1) IN GENERAL.—There is established in Homeland Security Investigations of U.S. Immigration and Customs Enforcement the Office of Victim Assistance.

''(2) PURPOSE.—The purpose of the Office of Victim Assistance shall be—

''(A) to provide national oversight to ensure that all employees of the U.S. Immigration and Customs Enforcement comply with all applicable Federal laws and policies concerning victims' rights, access to information, advisement of legal rights, just and fair

treatment of victims, and respect for victims' privacy and dignity;

''(B) to oversee and support specially trained victim assistance personnel through guidance, training, travel, technical assistance, and equipment to support Homeland Security Investigations in domestic and international investigations with a potential or identified victim or witness.

''(3) FUNCTIONS.—The Office of Victim Assistance shall—

''(A) fund and provide guidance, training, travel, technical assistance, equipment, emergency funding for urgent victim needs as identified, and coordination of victim assistance personnel throughout Homeland Security Investigations to provide potential and identified victims and witnesses with access to the rights and services to which they are entitled by law;

''(B) provide training throughout the U.S. Immigration and Customs Enforcement on victim-related policies, issues, roles of victim assistance personnel, and the victim-centered approach in investigations;

''(C) provide victim assistance specialists to assess victims' needs, provide referrals for comprehensive assistance, and work with special agents to integrate victim assistance considerations throughout the investigation and judicial processes, as needed, by locating such specialists—

''(i) where there is a human trafficking task force in which Homeland Security Investigations participates;

''(ii) where there is a task force targeting child sexual exploitation in which Homeland Security Investigations participates; and

''(iii) in each Homeland Security Investigations Special Agent in Charge Office to address victims of other Federal crimes, such as telemarketing fraud, which Homeland Security Investigations investigates;

''(D) provide forensic interview specialists in each Homeland Security Investigations Special Agent in Charge Office to conduct victim-centered and legally sufficient fact finding forensic interviews, both domestically and internationally;

''(E) provide case consultation, operational planning, coordination of services, and technical assistance and training to special agents regarding all issues related to victims and witnesses of all ages;

''(F) establish victim-related policies for Homeland Security Investigations, including policies related to human trafficking, child sexual exploitation, and other Federal crimes investigated by Homeland Security Investigations; and

''(G) collaborate with other Federal, State, local, and tribal governmental, nongovernmental, and nonprofit entities regarding policy, outreach, and training activities.

''(4) DATA COLLECTION.—The Office of Victim Assistance shall collect and maintain data in a manner that protects the confidentiality of the data and omits personally identifying information and subject to other Federal laws regarding victim confidentiality, including—

''(A) the sex and race of the victim;

''(B) each alleged crime that the victim was subjected to, and in the case of human trafficking, each purpose for which the victim was trafficked, such as commercial sex or forced labor; and

''(C) whether the victim was an adult or a minor child.

''(5) AVAILABILITY OF DATA TO CONGRESS.—The Office of Victim Assistance shall make the data collected and maintained under paragraph (4) available to the committees of Congress set forth in section 105(d)(7) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103(d)(7)).''.

(c) REPORTING REQUIREMENT.—Section 105(d)(7) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103(d)(7)) is amended—

(1) in subparagraph (Q)(vii), by striking ''and'' at the end;

(2) in subparagraph (R), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(S) the data collected by Homeland Security Investigations of U.S. Immigration and Customs Enforcement under section 442(d)(4) of the Homeland Security Act of 2002.''.

(d) CONFORMING AMENDMENT.—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 442 and inserting the following:

''Sec. 442. Establishment of U.S. Immigration and Customs Enforcement.''.

SEC. 303. IMPLEMENTING A VICTIM-CENTERED APPROACH TO HUMAN TRAFFICKING.

Section 107(b)(2) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(b)(2)) is amended—

(1) in subparagraph (B)(ii), by striking the period at the end and inserting ''; and''; and

(2) by adding at the end the following:

''(D) PRIORITY.—In selecting recipients of grants under this paragraph that are only available for law enforcement operations or task forces, the Attorney General may give priority to any applicant that files an attestation with the Attorney General stating that—

''(i) the grant funds awarded under this paragraph—

''(I) will be used to assist in the prevention of severe forms of trafficking in persons;

''(II) will be used to strengthen efforts to investigate and prosecute those who knowingly benefit financially from participation in a venture that has engaged in any act of human trafficking;

''(III) will be used to take affirmative measures to avoid arresting, charging, or prosecuting victims of human trafficking for any offense that is the direct result of their victimization; and

''(IV) will not be used to require a victim of human trafficking to collaborate with law enforcement officers as a condition of access to any shelter or restorative services; and

''(ii) the applicant will provide dedicated resources for anti-human trafficking law enforcement officers for a period that is longer than the duration of the grant received under this paragraph.''.

SEC. 304. IMPROVING VICTIM SCREENING.

(a) IN GENERAL.—The Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 et seq.) is amended by inserting after section 107A (22 U.S.C. 7105a) the following:

''SEC. 107B. IMPROVING DOMESTIC VICTIM SCREENING PROCEDURES.

''(a) VICTIM SCREENING TOOLS.—Not later than October 1, 2018, the Attorney General shall compile and disseminate, to all grantees who are awarded grants to provide victims' services under subsection (b) or (f) of section 107, information about reliable and effective tools for the identification of victims of human trafficking.

''(b) USE OF SCREENING PROCEDURES.—Beginning not later than October 1, 2018, the Attorney General, in consultation with the Secretary of Health and Human Services, shall identify recommended practices for the screening of human trafficking victims and shall encourage the use of such practices by grantees receiving a grant to provide victim services to youth under subsection (b) or (f) of section 107.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106–386) is amended by inserting after the item relating to section 107A the following:

''Sec. 107B. Improving domestic victim screening procedures.''.

(c) AMENDMENT TO TITLE 18.—Section 1593A of title 18, United States Code, is amended by striking ''section 1581(a), 1592, or 1595(a)'' and inserting ''this chapter''.

SEC. 305. IMPROVING VICTIM SERVICES.

Section 1402(d)(3) of the Victims of Crime Act of 1984 (42 U.S.C. 10601(d)(3)) is amended by adding at the end the following:

''(C)(i) The Director may use not more than 1 percent of the amount to be distributed from the Fund under this paragraph in a particular fiscal year to provide and improve direct assistance services for crime victims, including victim assistance coordinators and specialists, in the Federal criminal justice system (as described in section 3771 of title 18, United States Code, and section 503 of the Victims' Rights and Restitution Act of 1990 (42 U.S.C. 10607)) by a department or agency of the Federal Government other than the Department of Justice.

''(ii) Beginning in the first fiscal year beginning after the date of enactment of this subparagraph and every fiscal year thereafter, the Director shall solicit requests for funding under clause (i).

''(iii) Before amounts are distributed from the Fund to a department or agency for the purpose described in clause (i), the Director shall evaluate whether the activities proposed to be carried out by such department or agency would duplicate services that are provided by another department or agency of the Federal Government (including the Department of Justice) using amounts from the Fund, and impose measures to avoid such duplication to the greatest extent possible.''.

TITLE IV—IMPROVED DATA COLLECTION AND INTERAGENCY COORDINATION

SEC. 401. PROMOTING DATA COLLECTION ON HUMAN TRAFFICKING.

(a) PREVALENCE OF HUMAN TRAFFICKING.—Not later than 1 year after the date of enactment of this Act, the Attorney General shall submit to Congress a report on the efforts of the National Institute of Justice to develop a methodology to assess the prevalence of human trafficking in the United States, including a timeline for completion of the methodology.

(b) INNOCENCE LOST NATIONAL INITIATIVE.—Not later than 180 days after the date of enactment of this Act, the Director of the Federal Bureau of Investigation shall submit to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives a report on the status of the Innocence Lost National Initiative, which shall include, for each of the last 5 fiscal years, information on—

(1) the number of human traffickers who were arrested, disaggregated by—

(A) the number of individuals arrested for patronizing or soliciting an adult;

(B) the number of individuals arrested for recruitment, harboring, maintaining, or obtaining an adult;

(C) the number of individuals arrested for patronizing or soliciting a minor; and

(D) the number of individuals arrested for recruitment, harboring, maintaining, or obtaining a minor;

(2) the number of adults who were arrested on charges of prostitution;

(3) the number of minor victims who were identified;

(4) the number of minor victims who were arrested and formally petitioned by a juvenile court or criminally charged; and

(5) the placement of and social services provided to each such minor victim as part of each State operation.

(c) AVAILABILITY OF REPORTS.—The reports required under subsections (a) and (b) shall be posted on the website of the Department of Justice.

SEC. 402. CRIME REPORTING.

Section 7332(c) of the Uniform Federal Crime Reporting Act of 1988 (28 U.S.C. 534 note) is amended—

(1) in paragraph (3), by striking ''in the form of annual Uniform Crime Reports for the United States'' and inserting ''not less frequently than annually''; and

(2) by adding at the end the following:

''(4) INTERAGENCY COORDINATION.—

''(A) IN GENERAL.—Not later than 90 days after the date of enactment of this paragraph, the Director of the Federal Bureau of Investigation shall coordinate with the head of each department or agency within the Federal Government that is subject to the mandatory reporting requirements under paragraph (2) for the purpose of ensuring successful implementation of paragraph (2).

''(B) FOR REPORT.—Not later than 6 months after the date of enactment of this paragraph, the head of each department or agency within the Federal Government that is subject to the mandatory reporting requirements under paragraph (2) shall provide the Director of the Federal Bureau of Investigation such information as the Director determines is necessary to complete the first report required under paragraph (5).

''(5) ANNUAL REPORT BY FEDERAL BUREAU OF INVESTIGATION.—Not later than 1 year after the date of enactment of this paragraph, and annually thereafter, the Director of the Federal Bureau of Investigation shall prepare and submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report detailing the efforts of the departments and agencies within the Federal Government to come into compliance with paragraph (2). The report shall contain a list of all departments and agencies within the Federal Government subject to paragraph (2) and whether each department or agency is in compliance with paragraph (2).''.

SEC. 403. HUMAN TRAFFICKING ASSESSMENT.

Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Executive Associate Director of Homeland Security Investigations shall submit to the Committee on Homeland Security and Governmental Affairs and the Committee on the Judiciary of the Senate, and the Committee on Homeland Security and the Committee on the Judiciary of the House of Representatives a report on human trafficking investigations undertaken by Homeland Security Investigations that includes—

(1) the number of confirmed human trafficking investigations by category, including labor trafficking, sex trafficking, and transnational and domestic human trafficking;

(2) the number of victims by category, including—

(A) whether the victim is a victim of sex trafficking or a victim of labor trafficking; and

(B) whether the victim is a minor or an adult; and

(3) an analysis of the data described in paragraphs (1) and (2) and other data available to Homeland Security Investigations that indicates any general human trafficking or investigatory trends.

TITLE V—TRAINING AND TECHNICAL ASSISTANCE

SEC. 501. ENCOURAGING A VICTIM-CENTERED APPROACH TO TRAINING OF FEDERAL LAW ENFORCEMENT PERSONNEL.

(a) TRAINING CURRICULUM IMPROVEMENTS.—The Attorney General, Secretary of Homeland Security, and Secretary of Labor shall periodically, but not less frequently than once every 2 years, implement improvements to the training programs on human trafficking for employees of the Department of Justice, Department of Homeland Security, and Department of Labor, respectively, after consultation with survivors of human trafficking, or trafficking victims service providers, and Federal law enforcement agencies responsible for the prevention, deterrence, and prosecution of offenses involving human trafficking (such as individuals serving as, or who have served as, investigators in a Federal agency and who have expertise in identifying human trafficking victims and investigating human trafficking cases).

(b) ADVANCED TRAINING CURRICULUM.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Attorney General and the Secretary of Homeland Security shall develop an advanced training curriculum, to supplement the basic curriculum for investigative personnel of the Department of Justice and the Department of Homeland Security, respectively, that—

(A) emphasizes a multidisciplinary, collaborative effort by law enforcement officers who provide a broad range of investigation and prosecution options in response to perpetrators, and victim service providers, who offer services and resources for victims;

(B) provides guidance about the recruitment techniques employed by human traffickers to clarify that an individual who knowingly solicits or patronizes a commercial sex act from a person who was a minor (consistent with section 1591(c) of title 18, United States Code) or was subject to force, fraud, or coercion is guilty of an offense under chapter 77 of title 18, United States Code, and is a party to a human trafficking offense; and

(C) explains that—

(i) victims of sex or labor trafficking often engage in criminal acts as a direct result of severe trafficking in persons and such individuals are victims of a crime and affirmative measures should be taken to avoid arresting, charging, or prosecuting such individuals for any offense that is the direct result of their victimization; and

(ii) a comprehensive approach to eliminating human trafficking should include demand reduction as a component.

(2) USE OF CURRICULUM.—The Attorney General and the Secretary of Homeland Security shall provide training using the curriculum developed under paragraph (1) to—

(A) all law enforcement officers employed by the Department of Justice and the Department of Homeland Security, respectively, who may be involved in the investigation of human trafficking offenses; and

(B) members of task forces that participate in the investigation of human trafficking offenses.

(c) TRAINING COMPONENTS.—Section 107(c)(4)(B) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(c)(4)(B)) is amended—

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

(2) in clause (iii), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(iv) a discussion clarifying that an individual who knowingly solicits or patronizes a commercial sex act from a person who was a minor (consistent with section 1591(c) of title 18, United States Code) or was subject to force, fraud, or coercion is guilty of an offense under chapter 77 of title 18, United States Code, and is a party to a human trafficking offense.''.

SEC. 502. VICTIM SCREENING TRAINING.

Section 114 of the Justice for Victims of Trafficking Act of 2015 (42 U.S.C. 14044g) is amended—

(1) in subsection (c)(1)(A)—

(A) in clause (i), by striking the ''and'' at the end;

(B) in clause (ii), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

''(iii) individually screening all adults and children who are suspected of engaging in commercial sex acts or who are subject to labor exploitation that may be in violation of child labor laws to determine whether each individual screened is a victim of human trafficking; and

''(iv) how—

''(I) victims of sex or labor trafficking often engage in criminal acts as a direct result of severe trafficking in persons; and

''(II) such individuals are victims of a crime and affirmative measures should be taken to avoid arresting, charging, or prosecuting such individuals for any offense that is the direct result of their victimization.''; and

(2) by adding at the end the following:

''(f) DEPARTMENT OF JUSTICE VICTIM SCREENING PROTOCOL.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of this subsection, the Attorney General shall issue a screening protocol for use during all anti-trafficking law enforcement operations in which the Department of Justice is involved.

''(2) REQUIREMENTS.—The protocol required to be issued under paragraph (1) shall—

''(A) require the individual screening of all adults and children who are suspected of engaging in commercial sex acts or who are subject to labor exploitation that may be in violation of child labor laws to determine whether each individual screened is a victim of human trafficking;

''(B) require affirmative measures to avoid arresting, charging, or prosecuting human trafficking victims for any offense that is the direct result of their victimization;

''(C) require all Federal law enforcement officers and relevant department personnel who participate in human trafficking investigations to receive training on enforcement of the protocol;

''(D) be developed in consultation with State and local law enforcement agencies, the Department of Health and Human Services, survivors of human trafficking, and nongovernmental organizations that specialize in the identification, prevention, and restoration of victims of human trafficking; and

''(E) include—

''(i) procedures and practices to ensure that the screening process minimizes trauma or revictimization of the person being screened; and

''(ii) guidelines on assisting victims of human trafficking in identifying and receiving victim services.''.

SEC. 503. JUDICIAL TRAINING.

Section 223(b)(2) of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13023(b)(2)) is amended—

(1) in subparagraph (B) by striking ''and'' at the end;

(2) in subparagraph (C) by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(D) procedures for improving the judicial response to children who are vulnerable to human trafficking, to the extent an appropriate screening tool exists.''.

SEC. 504. TRAINING OF TRIBAL LAW ENFORCEMENT AND PROSECUTORIAL PERSONNEL.

The Attorney General, in consultation with the Director of the Office of Tribal Justice, shall carry out a program under which tribal law enforcement officials may receive technical assistance and training to pursue a

victim-centered approach to investigating and prosecuting severe forms of trafficking in persons (as defined in section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102)).

TITLE VI—ACCOUNTABILITY

SEC. 601. GRANT ACCOUNTABILITY.

Section 1236 of the Violence Against Women Reauthorization Act of 2013 (22 U.S.C. 7113) is amended—

(1) in the matter preceding paragraph (1), by striking ''All grants'' and inserting the following:

''(a) IN GENERAL.—For fiscal year 2013, and each fiscal year thereafter, all grants''; and

(2) by adding at the end the following:

''(b) APPLICATION TO ADDITIONAL GRANTS.—For purposes of subsection (a), for fiscal year 2018, and each fiscal year thereafter, the term 'grant awarded by the Attorney General under this title or an Act amended by this title' includes a grant under any of the following:

''(1) Section 223 of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13023).

''(2) The program under section 504 of the Trafficking Victims Protection Act of 2017.''.

TITLE VII—PUBLIC-PRIVATE PARTNERSHIP ADVISORY COUNCIL TO END HUMAN TRAFFICKING

SEC. 701. SHORT TITLE.

This title may be cited as the ''Public-Private Partnership Advisory Council to End Human Trafficking Act''.

SEC. 702. DEFINITIONS.

In this Act:

(1) COUNCIL.—The term ''Council'' means the Public-Private Partnership Advisory Council to End Human Trafficking.

(2) GROUP.—The term ''Group'' means the Senior Policy Operating Group established under section 105(g) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103(g)).

(3) TASK FORCE.—The term ''Task Force'' means the President's Interagency Task Force to Monitor and Combat Trafficking established under section 105(a) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103(a)).

SEC. 703. PUBLIC-PRIVATE PARTNERSHIP ADVISORY COUNCIL TO END HUMAN TRAFFICKING.

(a) ESTABLISHMENT.—There is established the Public-Private Partnership Advisory Council to End Human Trafficking, which shall provide advice and recommendations to the Group and the Task Force.

(b) MEMBERSHIP.—

(1) COMPOSITION.—The Council shall be composed of not fewer than 8 and not more than 14 representatives of nongovernmental organizations, academia, and nonprofit groups who have significant knowledge and experience in human trafficking prevention and eradication, identification of human trafficking, and services for human trafficking victims.

(2) REPRESENTATION OF NONPROFIT AND NONGOVERNMENTAL ORGANIZATIONS.—To the extent practicable, members of the Council shall be representatives of nonprofit groups, academia, and nongovernmental organizations who accurately reflect the diverse backgrounds related to work in the prevention, eradication, and identification of human trafficking and services for human trafficking victims in the United States and internationally.

(3) APPOINTMENT.—Not later than 180 days after the date of the enactment of this Act, the President shall appoint—

(A) 1 member of the Council, after consultation with the President Pro Tempore of the Senate;

(B) 1 member of the Council, after consultation with the Minority Leader of the Senate;

(C) 1 member of the Council, after consultation with the Speaker of the House of Representatives;

(D) 1 member of the Council, after consultation with the Minority Leader of the House of Representatives; and

(E) the remaining members of the Council.

(4) TERM; REAPPOINTMENT.—Each member of the Council—

(A) shall serve for a term of 2 years; and

(B) may be reappointed by the President to serve 1 additional 2-year term.

(5) EMPLOYEE STATUS.—Members of the Council—

(A) shall not be considered employees of the Federal Government for any purpose; and

(B) shall not receive compensation.

(c) FUNCTIONS.—The Council shall—

(1) be a nongovernmental advisory body to the Group;

(2) meet, at its own discretion or at the request of the Group, not less frequently than annually, to review Federal Government policy and programs intended to combat human trafficking, including programs relating to the provision of services for victims;

(3) serve as a point of contact, with the United States Advisory Council on Human Trafficking, for Federal agencies reaching out to human trafficking nonprofit groups and nongovernmental organizations for input on programming and policies relating to human trafficking in the United States;

(4) formulate assessments and recommendations to ensure that the policy and programming efforts of the Federal Government conform, to the extent practicable, to the best practices in the field of human trafficking prevention and rehabilitation and aftercare of human trafficking victims; and

(5) meet with the Group not less frequently than annually, and not later than 45 days before a meeting with the Task Force, to formally present the findings and recommendations of the Council.

(d) NONAPPLICABILITY OF FACA.—The Council shall not be subject to the requirements under the Federal Advisory Committee Act (5 U.S.C. App.).

SEC. 704. REPORTS.

Not later than 1 year after the date of the enactment of this Act and annually thereafter until the date described in section 705, the Council, in coordination with the United States Advisory Council on Human Trafficking, shall submit a report containing the findings derived from the reviews conducted pursuant to section 3(c)(2) to—

(1) the Committee on Appropriations of the Senate;

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

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

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

(5) the Committee on Appropriations of the House of Representatives;

(6) the Committee on Foreign Affairs of the House of Representatives;

(7) the Committee on Homeland Security of the House of Representatives;

(8) the Committee on the Judiciary of the House of Representatives;

(9) the chair of the Task Force; and

(10) the members of the Group.

SEC. 705. SUNSET.

The Council shall terminate on September 30, 2020.

ORDERS FOR TUESDAY, SEPTEMBER 12, 2017

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, September 12; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that following leader remarks, the Senate resume consideration of the motion to proceed to H.R. 2810, postcloture; further, that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly conference meetings; finally, that all time during morning business, leader remarks, recess, and adjournment count postcloture on the motion to proceed to H.R. 2810.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 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 7:44 p.m., adjourned until Tuesday, September 12, 2017, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF JUSTICE

SCOTT W. BRADY, OF PENNSYLVANIA, TO BE UNITED STATES ATTORNEY FOR THE WESTERN DISTRICT OF PENNSYLVANIA FOR THE TERM OF FOUR YEARS, VICE DAVID J. HICKTON, RESIGNED.

BOBBY L. CHRISTINE, OF GEORGIA, TO BE UNITED STATES ATTORNEY FOR THE SOUTHERN DISTRICT OF GEORGIA FOR THE TERM OF FOUR YEARS, VICE EDWARD J. TARVER, RESIGNED.

DAVID J. FREED, OF PENNSYLVANIA, TO BE UNITED STATES ATTORNEY FOR THE MIDDLE DISTRICT OF PENNSYLVANIA FOR THE TERM OF FOUR YEARS, VICE PETER J. SMITH, RESIGNED.

ANDREW E. LELLING, OF MASSACHUSETTS, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF MASSACHUSETTS FOR THE TERM OF FOUR YEARS, VICE CARMEN MILAGROS ORTIZ, RESIGNED.

STEPHEN R. MCALLISTER, OF KANSAS, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF KANSAS FOR THE TERM OF FOUR YEARS, VICE BARRY R. GRISSOM, RESIGNED.

RONALD A. PARSONS, JR., OF SOUTH DAKOTA, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF SOUTH DAKOTA FOR THE TERM OF FOUR YEARS, VICE BRENDAN V. JOHNSON, RESIGNED.

DEPARTMENT OF DEFENSE

JAMES F. GEURTS, OF PENNSYLVANIA, TO BE AN ASSISTANT SECRETARY OF THE NAVY, VICE SEAN JOSEPH STACKLEY.

DEPARTMENT OF TRANSPORTATION

HOWARD R. ELLIOTT, OF INDIANA, TO BE ADMINISTRATOR OF THE PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION, VICE MARIE THERESE DOMINGUEZ.

PAUL TROMBINO III, OF WISCONSIN, TO BE ADMINISTRATOR OF THE FEDERAL HIGHWAY ADMINISTRATION, VICE GREGORY GUY NADEAU.

DEPARTMENT OF STATE

REBECCA ELIZA GONZALES, OF TEXAS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF LESOTHO.

CARLA SANDS, OF CALIFORNIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF DENMARK.

MANISHA SINGH, OF FLORIDA, TO BE AN ASSISTANT SECRETARY OF STATE (ECONOMIC AND BUSINESS AFFAIRS), VICE CHARLES HAMMERMAN RIVKIN.

DEPARTMENT OF JUSTICE

JOHN F. BASH, OF TEXAS, TO BE UNITED STATES ATTORNEY FOR THE WESTERN DISTRICT OF TEXAS FOR

THE TERM OF FOUR YEARS, VICE ROBERT LEE PITMAN, RESIGNED.

THE JUDICIARY

WALTER DAVID COUNTS III, OF TEXAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF TEXAS, VICE ROBERT A. JUNELL, RETIRED.

DEPARTMENT OF JUSTICE

R. ANDREW MURRAY, OF NORTH CAROLINA, TO BE UNITED STATES ATTORNEY FOR THE WESTERN DISTRICT OF NORTH CAROLINA FOR THE TERM OF FOUR YEARS, VICE ANNE M. TOMPKINS, RESIGNED.

THE JUDICIARY

MATTHEW SPENCER PETERSEN, OF VIRGINIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF COLUMBIA, VICE RICHARD W. ROBERTS, RETIRED.